

BRILL'S COMPANION TO
THE RECEPTION
OF CICERO



Edited by
William H. F. Altman

BRILL

Brill's Companion to the Reception of Cicero

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(éd. F. Gros et C. Lévy; Paris, 2003); *Devenir dieux* (Paris, 2010); and *Genèses de l'acte de parole dans le monde grec, romain et medieval* (éd. B. Cassin et C. Lévy; Brepols: Turnhout, 2011).

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Introduction

William H. F. Altman

Underlying this *Companion to the Reception of Cicero* is an awareness of the fundamental and irremediable impossibility of the task undertaken here: to paraphrase John 21:25, not all of the books in the world could contain the full story of Cicero's influence. How long, for example, would a study devoted merely to "the Christian reception of Cicero" need to be?¹ Certainly a volume of considerable dimensions would be required to describe Cicero's impact on any one of the great Fathers of the Latin Church,² and even such a volume, it may be surmised, would leave far too much unsaid. Could we find a page of the Vulgate that does not bear Cicero's trace? Here, by contrast, there is no essay on Jerome, Ambrose, Gregory the Great, or Augustine, nor an attempt to discuss all four of them, devoting, as it were, a paragraph or sub-section to each.³ The task is too large, the influence too profound: a rehearsal of the obvious connections can only obscure the intangible spiritual kinship, to say nothing of the linguistic inheritance passed down to any post-Ciceronian writer of Latin prose. The only way to achieve the deceptive appearance of completeness is to divide the subject by exhaustive—and ultimately exhausting—chronological units: even national divisions would leave huge swaths untouched. But divisions of this kind inevitably lose the soul of the subject, and, in any case, will not be attempted here.

¹ A classic introduction, in which Cicero is ubiquitous, is E. K. Rand, *Founders of the Middle Ages* (Cambridge: Harvard University Press, 1928).

² See Maurice Testard, *Saint Augustin et Cicéron*, 2 volumes (Paris: Etudes augustinienes, 1958). Also to be consulted are the same author's *Saint Jérôme, l'apôtre savant et pauvre du patriciat romain* (Paris, Les Belles lettres, 1969), his *Chrétiens latins des premiers siècles: la littérature et la vie* (Paris: "Belles Lettres", 1981), the Introduction to his *Sancti Ambrosii Mediolanensis Opera*. Volume v: *De officiis*; cura et studio Mauriti Testard (Turnhout: Brepols, 2000), and the collection of essays in his honor: R. Chevallier (ed.), *Présence de Cicéron: actes du colloque des 25, 26 septembre 1982: hommage au R. P. M. Testard* (Paris: "Les Belles Lettres", 1984).

³ See the fine overview by Sabine MacCormack, "Cicero in Late Antiquity" in Catherine Steel (ed.), *The Cambridge Companion to Cicero*, 251–305. In addition to Testard, she thought highly of Harald Hagendahl, *Latin fathers and the Classics: A Study on the Apologists, Jerome and other Christian Writers* (Göteborg: Almqvist & Wiksell, Stockholm, 1958) and Robert Dodaro, *Christ and the Just Society in the Thought of Augustine* (Cambridge, UK: Cambridge University Press, 2004).

Instead, the contributors to this volume have been encouraged to think in terms of *synecdoche*: is there a single moment, text, or theme that illustrates more than itself about who Cicero has been, a part that bids fair to represent something resembling the soul of the whole? The principal thing this collection aims to achieve is simply to remind the reader, at a time when the great worth of Cicero remains badly underestimated, of some of the things he has been, and thus what he could be once again. To summarize, then, the three principal points: given that no one volume, or even set of them, can adequately cover the assigned topic, it has been judged better to illuminate specific salient moments rather than to offer flattened-out chronological narratives in order to advance the collection's principal purpose: to use examples of some of the many things Cicero has been in order to encourage the modern reader to reconsider his writings.

This is not to say, however, that all of the essays in this collection are devoted to scholars like Petrarch who appreciated Cicero; consideration is also given to Cicero's detractors, especially his modern ones. In addition to these critics, a more important obstacle deserves mention: the sheer volume of what he has left behind for us to ponder: it is easier to criticize than to love an author who makes such great and polymath demands on our time, erudition, and effort. Given the variety and volume of Cicero's *corpus*, any good book *about* Cicero must necessarily set itself the task of pointing the reader *back* to reading Cicero himself, and that is truly a task for a lifetime, and would probably require something very like an act of love. Philosophy, History, Law, Rhetoric, Psychology, Politics, Literature, and the point of origin for the Humanities: what a wealth of knowledge, observation, and wisdom can be found in the writings of Cicero! Roger Ascham chose wisely as tutor to the young Elizabeth:⁴ the writings of Cicero are well suited for the education of a future prince. With so much Cicero to read, the best any new book about Cicero can hope to achieve is to point away from itself, and back to the man, especially since he has already long since inspired a—and arguably *the*—pioneering work of what are now called “reception studies”: Thaddäus Zielinski's *Cicero im Wandel der Jahrhunderte*, first published in 1897. It cannot be an accident that Cicero was the subject for a pioneering study in this field: he has been so much to so many.

Any volume dedicated to Cicero's reception must therefore accord Zielinski a certain pride of place, and it is in a footnote about the Abbé de Mably (A.D. 1709–1785) that he captured—likewise under the trope of *synecdoche*—the

4 See Howard Jones, *Master Tully: Cicero in Tudor England* (Nieuwkoop: De Graaf, 1998).

main thrust of his book.⁵ The organizing principle of Zielinski's classic is triadic and he links the three "eruption-periods"⁶ of Cicero's greatest influence to his subject's prodigious literary output as follows: the first Christian centuries responded primarily to Cicero's philosophical works, the Renaissance to his letters, and the Enlightenment to his political writings and speeches.⁷ As a forerunner of the French Revolution, Mably emphasized the power of Cicero's speeches to move the masses, and it is the word "propaganda"⁸ that leads to the following note:

Mably and the principle of propaganda. Characteristic is the unconscious link to Lactantius (see above p. 102) as well as the likewise unconscious antithesis to the Renaissance (see above p. 199); here we have a drastic example of the thought expressed at the outset that each century reveals itself not least of all in its relation to Cicero [*daß sich die Eigenart der Jahrhunderte nicht zum wenigsten an ihrem Verhältnis zu C. lernen läßt*].⁹

Using the simplicity of Christian truth as his paradigm, Lactantius had criticized Cicero for making philosophical truth inaccessible to the masses whereas the Ciceronians of the Renaissance had, by contrast, celebrated his complex individuality;¹⁰ Mably, rejecting their elitism, found in the popular orator the mass-appeal Lactantius had missed in the philosopher, and celebrated its political implications in the years just prior to the French Revolution. But it is not only as an exemplification of his triadic scheme that this note stands as a synecdoche for Zielinski's project: it is rather what he calls "the thought expressed at the outset."

Among the monographs of an investigative and expository kind that the princes of the historical sciences have produced in modern times, one group of them is distinguished by a peculiar and characteristic feature: instead of concentrating on any one of countless cultural-historical layers, these make instead a vertical cut [*einen vertikalen Durchschnitt*] through

5 *Cicero im Wandel der Jahrhunderte* (third edition, 1912); references are to the fifth edition (Darmstadt: Wissenschaftliche Buchgesellschaft, 1967).

6 Zielinski, *Cicero im Wandel*, 3 (translations from this text are mine).

7 See Zielinski, *Cicero im Wandel*, 119 and 254.

8 Zielinski, *Cicero im Wandel*, 260.

9 Zielinski, *Cicero im Wandel*, 362.

10 Cf. Zielinski, *Cicero im Wandel*, 254 and the two passages Zielinski cites in the quoted note.

its totality. No other kind of investigation is so well suited for bringing into view the characteristics [*die Eigenart*] of the various centuries.¹¹

It is these words, the opening sentences of Zielinski's book, which anticipate and justify the spirit of this one. Although Zielinski clearly regarded Cicero himself as too great to be employed only as a means to the end of "bringing into view the *Eigenart* of the various centuries," an account of Cicero's *Nachleben*—the "after-life"¹² that is now called his "reception"—in fact would accomplish just that. Zielinski discovered a historical application for Quintilian's famous pronouncement that students who take great pleasure in Cicero will know themselves to have made great progress: *ille se profecisse sciat cui Cicero valde placebit*.¹³ And by making "a vertical cut," *Cicero im Wandel der Jahrhunderte* upheld the reality of a single Cicero: it is rather each of "the centuries," thanks to its particular *Eigenart*, that do the changing, and some of them showed more appreciation for Cicero than others. In fact, the verb "upheld" proves to be anachronistic: as a pioneer of what would only later be called "reception studies," there was no reason for Zielinski to defend the notion that Cicero was a single, towering, and world-class "personality,"¹⁴ as opposed to the current "many Ciceros" trope. For Zielinski, Cicero's integrity therefore did not require defense or even explanation. And whatever the weakness of his tripartite scheme, it was based on the important insight that even the greatest periods of Cicero's reception had heretofore been *one-sided*: Latin Christianity, the Renaissance, and the Enlightenment had revealed their *Eigenart* by their emphasis on only one part of Cicero's vast production. Cicero in his integrity was the whole: it was we, his epigones, who repeatedly proved ourselves one-sided in our appreciation. And the same was certainly no less true when it came to our criticism.

Far from assuming, then, that there are as many "Ciceros" as there are centuries or even readers, Zielinski offered the challenging claim that each age, however unconsciously, to no small extent *reveals itself* by how it responds to Cicero, and it is this claim that inspires the present collection as well. The discovery that any given evaluation of Cicero, whatever the evaluator's critical intention may be, is really a self-evaluation in disguise, is Zielinski's greatest achievement. But writing before the disasters of the twentieth century had

11 Zielinski, *Cicero im Wandel*, 1.

12 Zielinski, *Cicero im Wandel*, 3.

13 *Institutio oratoria* 1.10.1; Conyers Middleton (see chapter 4) chose this as the epigraph for his *The Life of M. Tullius Cicero* (London: W. Baynes and Son, 1823).

14 Zielinski, *Cicero im Wandel*, 1, 120–21, and 138 ("das heilige Recht der Persönlichkeit").

undermined our collective faith in progress, he went further: he was using the historical method to go beyond his illustrious predecessors by presenting a vision of Cicero's complex integrity. No matter how greatly pleased with Cicero the Ciceronians of the three great "eruption periods" had proven themselves to be, they had captured nothing more than an important but incomplete part of the truth. Although its copious citations leave no doubt of the author's sympathy for the truths discovered by the Christians of late antiquity, the writers of the Renaissance, and the Enlightenment activists, *Cicero im Wandel der Jahrhunderte* points to an even deeper level of appreciation: by using a vertical cut to synthesize into a single continuous narrative the philosopher as expressed in his treatises, the man as revealed in his letters, and the statesman who advanced his goals by speech and deed, Zielinski demonstrated an appreciation for Cicero that was greater than the sum of its parts, an appreciation only now made possible by his age's historical sensibility. Before perusing this collection, then,¹⁵ the interested reader comfortable with German would do well to read Zielinski. And for those who aren't, it should be added that he still richly deserves to be translated.

Anglophone readers are fortunate, however, when it comes to reading Cicero himself, and the twenty-eight volumes of the Loeb Library edition are indispensable.¹⁶ But even here, as if to mock us, there are important omissions: Cicero's translation of Plato's *Timaeus* is not included,¹⁷ there is no single volume devoted to the fragments of lost works,¹⁸ and a complete edition would need to add Asconius and the other ancient scholiasts.¹⁹ The point cannot be emphasized too much: despite huge losses, there is simply too much of Cicero to master, and there is good reason to agree with Zielinski's central insight that each great period of Cicero's positive reception was necessarily only partial. The rise of academic specialization embodied in the Ph.D. was very

15 See also the six chapters on reception in Steel's *Cambridge Companion to Cicero* and Nancy van Deusen (ed.), *Cicero Refused to Die: Ciceronian Influence through the Centuries* (Leiden: Brill, 2013).

16 Some of these are naturally better than others; particularly useful are the two volumes (13 and 14) translated by R. Gardner (1958): *Pro Caelio*, *De Provinciis Consularibus*, *Pro Balbo* and *Pro Sestio* and *In Vatinius* (Cambridge, MA: Harvard University Press, 1958).

17 Available in Remo Giomini (ed.), *M. Tulli Ciceronis Scripta*, fasc. 46 (Leipzig: Teubner, 1975).

18 See Jane W. Crawford, M. Tullius Cicero, *The Fragmentary Speeches; An Edition with Commentary*, second edition (Atlanta: Scholars Press, 1994), and the same author's M. Tullius Cicero: *The Lost and Unpublished Orations* (Göttingen: Vandenhoeck & Ruprecht), 1984.

19 Thomas Stangl (ed.), *Ciceronis Oratorum Scholiasticae*; originally published 1912 (Hildesheim: G. Olms, 1964).

destructive to Cicero because it required a well-rounded generalist to appreciate, or rather, to begin to appreciate, his vast and various output. Attracting attention from specialists in Roman History, Roman Law, Ancient Philosophy, Classical Languages and Literature, and Rhetoric, Cicero nevertheless runs the risk of becoming invisible in the midst of “many Ciceros”: each specialty sees only part of the field, and the whole never comes into sight. It is, for example, doubtful that philosophers pay enough attention to the politics of the late Republic, or that political historians know enough about Plato to grasp the underlying unity of Cicero’s thought. Meanwhile, the rise of “reception studies” can only aid and abet this fragmentation: although living in the age of multiple “Ciceros,” we should resist this fragmentation.

To this end, a brief account of Cicero’s writings will precede an overview of this volume’s contents, dividing his works into five divisions, with each of the first four divisions divided in two, and the fifth into five. In terms of volume, the greatest of these five is Cicero’s speeches, conveniently divided between those he gave as a lawyer, and his public orations on political questions of the day. This inevitable division between the legal and political is, however, an artificial one: the political situation of the late Republic is never absent in any trial, not even when Cicero is defending a Greek poet’s apparently innocuous claim to Roman citizenship with the seemingly apolitical and in any case thoroughly amiable hymn to literature rediscovered by Petrarch. The strictly political speeches are masterpieces of rhetoric, and the legal speeches illuminate much more than contemporary *mores* and Roman judicial procedure, although, of course, they can be effectively mined for information about both. Each and every speech demands from the student both Latin and familiarity with a learned commentary.²⁰ Moreover, the contents of both parts span a considerable number of years, with the legal speeches covering the period between 81 and 44. His earliest surviving political speech was delivered when he was Praetor in 66, his last efforts belong to 43, the year of his death. Depending on how one counts the Verrines, some fifty-three of Cicero’s speeches survive. It would be difficult to overestimate the breadth of knowledge that anything like an adequate appreciation of this huge output requires, involving as it does questions of civil procedure, political maneuvering, rhetorical tricks, personal psychology, and ethics to name but only a few. And yet just ten of the Loeb’s twenty-eight volumes are devoted to Cicero’s orations; by contrast, the

20 The best of these are L. G. Pocock, *A Commentary on Cicero in Vatinius with an Historical Introduction and Appendices* (London: University of London Press, 1926) and Mary Siani-Davies (ed.), *Marcus Tullius Cicero, Pro Rabirio Postumo: Translated with Introduction and Commentary* (Oxford: Clarendon Press, 2001).

orations of Isocrates fill three, those of Demosthenes, including his letters, fill seven such volumes.

We know more about Cicero than any other ancient writer largely because of his letters, seven more volumes in the Loeb edition. H. R. Shackleton Bailey devoted the greater part of his scholarly career to translating and elucidating Cicero's correspondence,²¹ and an examination of Jérôme Carcopino's masterpiece likewise reveals just how much time and effort would be required to assess this huge mass of informative material as a whole.²² Divided between his letters to his intimate friend Atticus and those to others, including his brother Quintus, Cicero's correspondence brings to life not only Cicero himself, but also his times. Naturally the collection can be and has been cherry-picked for countless specialized projects, and is indispensable for getting a sense of how Romans actually lived and thought about their daily lives. But because Cicero is so much more than merely the typical Roman, his letters are likewise indispensable for grasping the *complex unity* of his life and literary output. His humanity is everywhere on display, but he will continue to divide his readers as to whether "humanity" in this case is closer in meaning to moral grandeur, personal weakness, or some oxymoronic synthesis of the two. Given the profound psychological and ethical questions Cicero's correspondence raises, a reception study devoted exclusively to this division of his literary production would be of great value. In any case, the letters are indispensable for anyone trying to gain an integrated sense of Cicero, and that means, most importantly, connecting his orations to his philosophical writings, his career as a lawyer and statesman, his thoughts as a philosopher, and his life as a man.

This brings us to the third great division of Cicero's output, and here it is necessary to correct the standard view, which takes the foregoing divisions among his speeches and letters as given. In the catalogue of his philosophical writings in *de Divinatione*,²³ Cicero includes his major treatises on rhetoric, and—despite conventional wisdom—it is of vital importance to follow his lead on this point, dividing his philosophical writings into the *philosophica* proper and the no less philosophical *rhetorica*. Cicero inveighs against the

21 Starting with D. R. Shackleton Bailey (ed.), *Cicero's Letters to Atticus* (Marcus Tullius Cicero; *Ad Atticum*); *English & Latin*, 7 volumes (Cambridge, UK: Cambridge University Press, 1965–67) and the same editor's *Epistolae ad familiares*, 2 volumes (Cambridge, UK: Cambridge University Press, 1977).

22 Jérôme Carcopino, *Les secrets de la correspondance de Cicéron*, 2 volumes (Paris: L'Artisan du livre, 1947); see chapter 8. The pioneering work here is Gaston Boissier, *Cicéron et ses amis: étude sur la société romaine du temps de César*, first edition (Paris: Hachette, 1865).

23 *de Divinatione* 2.1–4.

discidium between rhetoric and philosophy in his masterful *de Oratore*,²⁴ and the key to gaining an integrated vision of him is to see how—in his philosophy, his letters, and in his orations—he manages to bridge this divide, indeed the manner in which he bridged it is first and foremost what makes Cicero Ciceronian. Whereas it is easy to see Cicero as a rhetorician who harmlessly suggested that a tincture of philosophy could only make an orator more eloquent, Cicero himself only becomes visible when we recognize him as a philosopher who recognized that without eloquence, wisdom is ineffective.²⁵

Leaving a defense of this reversal in perspective for another time and place,²⁶ the fact remains that when his *rhetorica* are combined with the rest of his philosophical output, the result fills ten volumes of the Loeb edition; by way of contrast, Plato's writings fill twelve. In Plato's case, we have all of his writings and then some: even in antiquity, there were works attributed to Plato that his editor did not think he had written, and the number of such works has expanded considerably in modernity. In the same way, *ad Herrenium* was long considered to be Cicero's, and if it were still considered genuine, that would add an eleventh Loeb volume to Cicero's *philosophica*. But more striking are the great losses Cicero's philosophical *corpus* has suffered: between the introductory *Hortensius*, at least two books of the *Academica*, the greatest bulk of his *de Republica*, and all of his *Consolatio*, *Cato*, and *de Gloria*, at least three Loeb-sized volumes have been lost. In other words: if we had all of Cicero's philosophy, there would be more of it than we have from Plato. Once again, it is important to remember his premature death at sixty-three: Plato died, still writing,²⁷ in his eighty-first year, and certainly never held high elective office in Athens or took the many laborious steps needed to become eligible for it. And when one reflects that Plato's *Republic* only bears that title because of Cicero,²⁸ that he was the first to claim—both falsely and deliberately so—that Socrates *knew* that he knew nothing,²⁹ and that he was also the first to distinguish and identify what we now call “Pre-Socratic philosophy,”³⁰ the influence of the man

24 *de Oratore* 3.61; cf. *divortia* at 3.69.

25 *De Inventione* 1.1–5. The scholars of the Middle Ages appreciated the importance of this seminal text; see chapter 12, 314–317.

26 In a work in progress: “*Platonis aemulus*: Studies in the Late Philosophy of Cicero.”

27 *de Senectute* 13: *Platonis, qui uno et octogesimo anno scribens est mortuus*.

28 See my *Plato the Teacher: The Crisis of the Republic* (Lanham, MD: Lexington, 2012), 1.

29 *Academica* 2.74, 1.16 and 1.45; cf. my “The Truly False Basis of Cicero's Platonism.” *McNeese Review* 40 (2010), 37–56.

30 *Tusculanae Disputationes* 5.10.

who named Herodotus “the father of history”³¹ is essentially immeasurable. A principal merit of a reception study of Cicero is that it may serve to remind us of how deeply in his debt we really are.

And then there’s Cicero’s poetry, some of it in Latin, the rest in Greek.³² The simple fact that he wrote poetry in Greek deserves considerable respect, and the knowledge that the future Consul translated the astronomical poem of Aratus into Latin as a young man is a remarkable testimony to his varied talents and interests.³³ Given his great influence on Petrarch, it makes good sense that Cicero was so important for laying the foundations of the Italian Renaissance: he was himself “a Renaissance man,” and not only because he was both poet and statesman.³⁴ It is easy to forget that the poets he needed to equal or excel have now been almost completely lost, and that those who would most ostentatiously eclipse his reputation were the clients of one of his murderers.³⁵ It is not entirely clear that Cicero’s verse has disappeared because it was inferior, which is not to say, of course, that being inferior to Vergil in writing Latin hexameters is any great shame. Between his *Marius* in Latin, and the account of his consulate in Greek, Cicero deserves a more prominent place in the history of epic poetry than he has generally been accorded.³⁶ In any case, it is amazing that perhaps the greatest poetic genius Rome ever produced—the brilliant Catullus, equally the master of Vergil, Horace, and Ovid—was Cicero’s contemporary and acquaintance,³⁷ that he early recognized and supported the poetic genius of Lucretius,³⁸ another contemporary, and that he was yet

31 *De Legibus* 1.5: *pater historiae*.

32 W. W. Ewbank, *The Poems of Cicero*, edited with introduction and notes (London, University of London Press: 1933).

33 See Emma Gee, “Cicero’s Astronomy,” *Classical Quarterly* 51 (n.s.), no. 2 (2001) and the same author’s *Aratus and the Astronomical Tradition* (New York, NY: Oxford University Press, 2013).

34 See “*Scribens est mortuus*: The Ciceronian Renaissance in Cicero’s *De Senectute* and *De Amicitia*” in my “*Platonis aemulus*.”

35 Cf. Vergil *Aeneid* 11.336–42 and Zielinski, *Cicero im Wandel*, 11, 279–80, and 285.

36 J. Wight Duff, edited by A. M. Duff, *A Literary History of Rome; From the Origins to the Close of the Golden Age*, third edition (New York: Barnes & Noble, 1960), 272: “Cicero is a vivacious and tasteful intermediary who transmitted to Lucretius and Catullus the ancient Latin versification enhanced in dignity and, still more decidedly, in technique.”

37 Catullus 49.

38 See William A. Merrill, *Cicero’s Knowledge of Lucretius’s Poem* (Berkeley: University of California Press, 1909), and the same author’s *Lucretius and Cicero’s Verse* (Berkeley: University of California Press, 1921) and *The Metrical Technique of Lucretius and Cicero* (Berkeley: University of California Press, 1924).

considered the greatest poet of his day.³⁹ Given that both of them were exiled, and that the man who would be called “Augustus” attempted to silence them both, Cicero and Ovid make a particularly interesting pair,⁴⁰ especially since Ovid was born in the same year that Cicero was killed, “the year the two consuls fell.”⁴¹ Although Ovid never mentions Cicero, this hardly means there is no “reception” to be considered there.⁴² Be that as it may, at least part of the reason we have lost so much of Cicero is purely political.

To emphasize this point—and it is essential to recognize that Cicero’s reception inextricably involves the influence of his enemies no less than his friends—the fifth division of his works consists of those works that are now lost. Almost all of his poetry belongs here, and the losses among his philosophical writings have already been mentioned. But the literary loss also embraces the other two divisions as well: we are missing crucial speeches both political and judicial, and there are equally crucial gaps in his correspondence with Atticus and others, and especially with young Octavian.⁴³ The senatorial speech he made while opposing the annexation of Egypt in 65,⁴⁴ the campaign speech he made while seeking the consulate in 64,⁴⁵ and his defense of his colleague Antonius⁴⁶—a performance that led his enemies to transfer a member of the *gens Claudia* to the plebs⁴⁷—all of these, and many more, are missing in action, and surely not because they were simply inferior to the speeches that have survived. Some of the losses are, to be sure, comparatively innocuous, although it would certainly be interesting to read his youthful translation of Xenophon;⁴⁸ indeed Cicero’s translations deserve

39 Plutarch *Life of Cicero* 2.3.

40 See Jo-Marie Claassen, *Displaced Persons: The Literature of Exile from Cicero to Boethius* (Madison: University of Wisconsin Press, 1999).

41 Ovid *Tristia* 4.10.6.

42 Consider *Tristia* 3.9.29–30, on which see Werner Schubert, “Zu Ovid, *Trist.* 3.9.” *Gymnasium* 97 (1990), 154–164 and Ellen Oliensis, “Return to Sender: The Rhetoric of *nomina* in Ovid’s *Tristia*.” *Ramus* 26 (1997), 172–193. See also Hartmut Froesch, *Ovid als Dichter des Exils* (Bonn, Bouvier, 1976), 80–1 building on Otto Seel, *Cicero: Wort, Staat, Welt*, third edition (Stuttgart: Klett, 1967), 133, and Betty Rose Nagle, *The Poetics of Exile: Program and Polemic in the Tristia and Epistulae ex Ponto of Ovid* (Bruxelles: Latomus, 1980), 32–5.

43 See Carcopino, *Secrets*, 2.555.

44 *De Rege Alexandrino*.

45 *In Toga Candida*.

46 *Pro Antonio*.

47 See Matthias Gelzer, *Cicero, ein biographischer Versuch* (Wiesbaden: F. Steiner, 1969), 124–25.

48 *De Officiis* 2.87.

at least a sub-section.⁴⁹ But other losses are anything but, especially in the case of his ἀνέχδοτα or *expositio*,⁵⁰ which remains dangerous to Cicero's enemies even in its absence.⁵¹ Among so many others, the loss of his *Consolatio* is particularly regrettable: there is good reason to think that Cicero's grief-stricken memorial for his daughter Tullia—who died from complications of childbirth, and for whom her father proposed divine honors⁵²—would constitute a milestone in the history of feminism.⁵³ In any case, Cicero's assassins may have cut off his head and his hand after murdering him,⁵⁴ but this was certainly not the only sense in which his *corpus* would be mutilated. Somewhere between an awareness of how much has been lost, and an adequate appreciation for the forbiddingly massive edifice that still remains, one begins to see why Cicero's reception can never be anything but partial, and likewise—in accordance with Zielinski's brilliant insight—necessarily stamped by our own age's partiality. While that reception is an inescapable condition of how we see him, it is neither the most important part of his story, nor indeed the part of it that deserves our first attention. The purpose of this collection, then, is principally to prepare the reader for returning to Cicero himself, in all his integrated but apparently contradictory complexity.⁵⁵

In accordance with this collection's purpose, the fourteen essays it contains are not arranged in chronological order: an ordering of this kind would give the misleading impression that the aim here is completeness, which it is not. Instead, the ordering is broadly speaking rhetorical, and is motivated not only on by an attempt to create something of a narrative arc, but also on the editor's anticipation of what a reader might find pleasing with respect to both variation and continuity. As a general matter, the contributions dealing with the negative aspects of Cicero's reception are placed in the middle, following

49 See Siobhán McElduff, *Roman Theories of Translation: Surpassing the Source* (New York: Routledge, 2013).

50 Cf. Stangl, *Ciceronis Orationum Scholiasticae*, 65 (on *In Toga Candida*): in *Expositione consiliorum suorum*.

51 Cf. P. A. Brunt, "Three Passages from Asconius." *Classical Review* 7, nos. 3–4 (December 1957), 193–195.

52 Lactantius *Divine Institutes* 1.15.27.

53 See "Womanly Humanism in Cicero's *Tusculan Disputations*." *Transactions of the American Philological Association* 139 (2009), 411–445.

54 Plutarch *Life of Cicero* 48.4.

55 See General Index. For full-length biographies, see the two volumes of Thomas N. Mitchell, *Cicero, the Senior Statesman* (New Haven: Yale University Press, 1991) and *Cicero, the Ascending Years* (New Haven: Yale University Press, 1979) and Pierre Grimal, *Cicéron* (Paris: Fayard, 1986); brief and interesting is Elizabeth Rawson, *Cicero: a Portrait*, revised edition (Bristol: Bristol Classical Press, 1983). But the most consistently reliable is Gelzer's *Cicero*.

the most positive moment with which the collection begins. The last essay then returns to the Renaissance its later form, now with the added twist that even a negative assessment of Cicero somehow implicates or presupposes a far more positive one. In any case, the collection has been designed not only to accommodate the needs of scholars whose interest will be confined to a single essay—and with respect to scholarly apparatus, it should be noted that each essay is self-contained—but to a more general reader whose keenness to return to Cicero himself it is our purpose to whet. I write “our” here not to arrogate for myself a “royal we” but simply to express the sense of all the contributors to this volume, and I should add that it has been a real pleasure for me to collaborate with such an erudite, disciplined, and professional team. In addition to a General Index, there is also an *index locorum* confined to Cicero’s writings, and a Select Bibliography containing some few suggestions for further reading.

The collection opens with Martin McLaughlin’s “Petrarch and Cicero: Adulation and Critical Distance.” Beginning with Petrarch’s rediscovery of the *pro Archia* and the *Letters to Atticus*, McLaughlin shows that Cicero’s influence went well beyond philology, and that it proved pervasive, affecting Petrarch’s style in a wide variety of genres, and even his sense of structure. By illustrating the deeply personal nature of Petrarch’s involvement with Cicero, McLaughlin touches on a theme that will reappear at the end of the collection: uncritical adulation of Cicero, especially as manifested by the Ciceronianism of a later period, was not the distinguishing characteristic of those who loved or understood him best. Kathy Eden’s “Cicero’s Portion of Montaigne’s Acclaim” illustrates the more paradoxical converse relationship, another theme that will reappear at the end: Cicero’s critics were often more Ciceronian than they let on. Eden shows that even though Montaigne adopted an overtly critical stance toward Cicero, his pervasive use of a single figure of speech—*acclamatio* or ἐπιφώνημα—shows how deeply in debt to Cicero he really was. To summarize Eden’s essay on the great essayist by using the figure of speech at its center: How great the man whose own tools are required to defame him!

The next two contributions shift attention to Cicero’s reception by theologians. Gábor Kendeŕffy’s “Lactantius as Christian Cicero, Cicero as shadow-like Instructor” picks up the paradox in Eden’s essay: although critical of Cicero, Lactantius remains strangely in his orbit both as a thinker and an apologist, and if Jerome was right, the last word may well belong to his rival. Robert Ingram’s “Conyers Middleton’s Cicero: Enlightenment, Scholarship, and Polemic” brings to life the highly political motives that led an eighteenth century divine to write his classic biography of Cicero, and Middleton’s ability to find an ally in Cicero

introduces the theme of the next essay: as a practical age, the Enlightenment found Cicero useful.

The next two contributions would appear to be opposites: Carl J. Richard's "Cicero and the American Founders" relates with enviable simplicity what must always remain the most important aspect of Cicero's reception for a citizen of these United States: the tremendous debt we all owe him for his towering influence on the founders of our own Republic. By contrast, Alex Dressler's "Cicero's Quarrels: Reception and Modernity from Horace to Tacitus" is the most theoretically complex and up-to-date contribution to the collection, and yet takes a giant chronological leap back to the earliest period of Cicero's reception, offering an analysis of why that reception was inherently political and contested from the start. Despite the contrast in style and presentation, both Richard and Dressler shift the conversation away from the influence of Cicero's literary skill and theology to his necessarily embattled political legacy, showing in combination why Cicero's reception must inevitably vary with the political commitments of those reading him. While Richard shows that Cicero's best students demonstrated flexibility by adapting him to the needs of their own time, Dressler proves that even the suppression of Cicero necessarily bore his mark.

Despite its attention to antiquity, Dressler's essay makes use of ultra-modern tools, and it is therefore a good introduction to Allen Miller's "Cicero Reads Derrida Reading Cicero: A Politics and a Friendship to Come." Despite Derrida's reputation as a less than translucent thinker, Miller demonstrates how reverently classical Derrida could also sometimes be, taking as his theme the use Derrida made of Cicero's *de Amicitia* in a moment of political and personal crisis. A less savory aspect of Cicero's modern French reception is detailed in Carlos Lévy's "Ancient Texts, Contemporary Stakes: J. Carcopino as Reader of Cicero's Letters." Setting Carcopino's exhaustive study of Cicero's correspondence against the political backdrop of Vichy, Lévy builds on the theme introduced by Dressler, transferring from antiquity to modernity Cicero's ongoing and inescapable political significance, and, no less importantly, the never completely apolitical stance of the scholars who study him.

Cicero's modern German reception is the topic of the next two essays, although the first, my own "Cicero and the Fourth Triumvirate: Gruen, Syme and Strasburger," aims to show the considerable influence that reception has also had on Anglo-American readings. In identifying Hegel, Drumann, and Mommsen—the so-called "third triumvirate"—as the nineteenth century foundation of Cicero's modern reception, my essay prepares the way for Elisabeth Begemann's "Damaged Go(o)ds: Cicero's Theological Triad in the

Wake of German Historicism.” Begemann illustrates the general attitudes guiding nineteenth century German *Quellenforschung*, and her exposé of the indignities to which *de Natura Deorum*, *de Divinatione*, and *de Fato* were then subjected blends tragedy with comedy.

The bifurcation and resulting truncation of Cicero is the common theme of the next two contributions. Caroline Bishop examines Macrobius and Asconius in “Roman Plato or Roman Demosthenes? The Bifurcation of Cicero in Ancient Scholarship,” and her juxtaposition traces to its point of origin perhaps the principal obstacle to a well-rounded and integrated reception of Cicero: the neglect of the indissoluble connection between his political oratory and his philosophy. This bifurcation, still with us today as a problem, was scarcely recognizable during the Middle Ages, and in “What the Middle Ages Missed of Cicero, and Why,” John O. Ward uses William of Malmesbury’s *Polyhistor* and John of Salisbury’s *Policraticus* to shed light on some neglected aspects of Cicero’s medieval reception while also helping the reader to appreciate the significance of the revival inaugurated by Petrarch at the dawn of the modern age. Ward’s essay thus ends where the collection began: with Petrarch.

Finally, there are two essays that address the divided Cicero, and point the way toward a more integrative vision, moving beyond the simplistic divisions that have so often characterized his reception. In “Cicero, Voltaire, and the *Philosophes* in the French Enlightenment,” Matthew Sharpe not only further justifies Zielinski’s emphasis on the Enlightenment as a critical *Eruptionsperiod* for Cicero’s reception, but also provocatively demonstrates how a failure to recognize the centrality of that reception leads to a one-sided understanding of the *lumières* themselves. In addition to revealing his own ideal as a *philosophe*, Voltaire’s phrase *J’écris pour agir* indicates an integrative solution to the problem illuminated by Bishop: the indissoluble and paradigmatically Ciceronian connection between the philosopher as man of action and the politician devoted to contemplation.

If Sharpe uses the French Enlightenment’s reception to help us to see Cicero himself more clearly, in “Following Their Own Genius: Debates on Ciceronianism in 16th-Century Italy,” JoAnn DellaNeva returns to the Renaissance, and shows that whatever our personal “idea” of “genius” may be, we probably wouldn’t have one without Cicero and his reception.⁵⁶ She also illustrates a paradox that first emerged in the contributions of McLaughlin, on the one hand, and Eden and Kendeffer on the other, involving, respectively, Cicero’s critical friends and his strangely Ciceronian critics. Having been brought out of the

56 See chapter 14, 373: “Pico’s novel term *genius* ultimately derives from his reading of the ‘Platonic’ passages of Cicero’s *Orator* that deal with the Idea”.

one-sided darkness by Petrarch, Cicero emerged in the Renaissance as the towering figure he had always been. But with this emergence came the price of glory, and the devoted partisanship of mediocre minds threatened to make him no less one-sided than he had been made to seem for so long. DellaNeva demonstrates that it was not the Ciceronians who best understood their hero: paradoxically it was critics, like Eden's Montaigne and Kendeff's Lactantius, who used his own weapons against him. Or did they? By suggesting that Cicero himself could never have been a Ciceronian, DellaNeva strikes the keynote of the collection: Cicero is too great a figure to be simply loved and copied, or worse, reviled, divided, and deleted. We must try, instead, to take the full measure of this complex man, not so much to reach some elusive final verdict about him—for his own claim to human excellence is secure—but to get a clearer picture of ourselves, our times, and our aims. If those aims are good ones, we will always find a useful and highly adaptable ally in Cicero. But we must also be wary of measuring Cicero's greatness only in terms of his utility in advancing our own concerns, and the new man who inspired Copernicus to set the earth itself in motion,⁵⁷ can likewise open up new worlds for the rest of us.

57 Inspired by *Academica* 2.123, Copernicus wrote in the dedicatory epistle of his *De revolutionibus*: *Ac repperi quidem apud Ciceronem primum Nicetum sensisse terram moveri.*

PART 1

Imitation or Criticism?



Petrarch and Cicero

Adulation and Critical Distance

*Martin McLaughlin**

It is well known that Francesco Petrarca (1304–74), or Petrarch, as he is known in the Anglophone world, put together in his lifetime the largest corpus of Livy's *History of Rome* since the end of the ancient world.¹ But he also amassed or had read the greatest number of works by Cicero compared to anyone of his time or from the preceding 'medieval' centuries.² Needless to say, Cicero is at the top of his list of favourite Latin prose-writers, according to an autograph note of his 'libri mei peculiare', the texts which he continually

* I am grateful for very helpful comments on this chapter from: Zygmunt Baranski, Vincenzo Fera, Nicola Gardini.

1 For his manuscript of Livy, see L. D. Reynolds and N. G. Wilson, *Scribes and Scholars. A Guide to the Transmission of Greek and Latin Literature*, 4th ed. (Oxford: Oxford University Press, 2013), pp. 131–32, and Giuseppe Billanovich, 'Petrarch and the textual tradition of Livy', *Journal of the Warburg and Courtauld Institutes*, 14 (1951), 137–208, and his *La tradizione del testo di Livio e le origini dell'umanesimo*, 2 vols (Padua: Antenore, 1981). See also *Reliquiarum servator. Il manoscritto Parigino latino 5690 e la storia di Roma nel Livio dei Colonna e di Francesco Petrarca*, ed. Marcello Ciccuto, Giuliana Crevatin, Enrico Fenzi, Presentazione di Francisco Rico (Pisa: Edizioni della Scuola Normale di Pisa, 2012).

2 The classic studies of Petrarch's manuscripts of Cicero are: Pierre De Nolhac, 'Pétrarque et Cicéron', in his *Pétrarque et l'Humanisme*, 2 vols (Paris: Champion, 1907), I, 213–68; Giuseppe Billanovich, 'Petrarca e Cicerone', in *Miscellanea Giovanni Mercati*, Vol. IV: *Letteratura classica e umanistica* (Città del Vaticano: Biblioteca Apostolica Vaticana, 1946), pp. 88–106 (now in Giuseppe Billanovich, *Petrarca e il primo umanesimo* (Padua: Antenore, 1996, pp. 97–116)); and more recently Michele Feo, 'Petrarca e Cicerone', in *Cicerone nella tradizione europea. Dalla tarda antichità al Settecento*, Atti del VI Symposium Ciceronianum Arpinas, Arpino 6 maggio 2005, ed. Emanuele Narducci (Florence: Le Monnier, 2006), pp. 17–50. Still of use is Remigio Sabbadini, *Storia del ciceronianismo e di altre questioni letterarie nell'età della Rinascenza* (Turin: Loescher, 1885), pp. 5–12, while Maria Accame Lanzilotta, 'Le postille del Petrarca a Quintiliano', *Quaderni Petrarqueschi*, 5 (1988), 1–201 (p. 87) provides an almost exhaustive list of Petrarch's references to Cicero. David Marsh's chapter, 'Cicero in the Renaissance', in *The Cambridge Companion to Cicero*, ed. Catherine Steel (Cambridge: Cambridge University Press, 2013), pp. 306–17, given its broad scope, understandably devotes just a few pages to Petrarch and Cicero (pp. 306–07; 313–14).

read and reread.³ In this list there are hardly any medieval works, but we find no fewer than fourteen texts by Cicero, five concerned with rhetoric (*De inventione*; *Ad Herennium*; *De oratore*; *Invective*; *Orationes*),⁴ and nine philosophical works: *De re publica*, book 6 (the Dream of Scipio); *Tusculanae disputationes*; *De officiis*; *De amicitia*; *De senectute*; *De divinatione*; 'Hortensius';⁵ *De natura deorum*; *Paradoxa Stoicorum*. From the rest of Petrarch's writings we know that he had read, and regularly quotes from, many of the major speeches; most of the philosophical works; and all the main rhetorical texts (though he had no access to the *Brutus* or to the complete texts of the *Orator* and *De oratore*, works which would not be discovered until 1421).⁶ On countless occasions he praises Cicero as the father of Roman eloquence, either on his own (*Familiars*, 13.5.18; 17.8.5; 21.10.12 etc.) or coupled with Virgil (*Familiars*, 12.3.18; 16.14.2; *Triumph of Fame* 3.16–21, etc.).⁷ But it is not so much the quantity of his knowledge (Feo estimates that there are about 350 explicit quotations from Cicero in the *Familiars*, and even more in the *Rerum memorandarum libri*) or his love for the great orator that marks him out as playing an exceptional role in the reception of Cicero; rather it is the unique quality of his responses to the Roman writer, as we shall see.

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- 3 The list of 'libri mei peculiares' is on the last page of his MS containing Cassiodorus' *De anima* and Augustine's *De vera religione* (Paris Lat. 2201, f. 58v): see now Vincenzo Fera, 'I libri peculiares', in *Petrarca, l'umanesimo e la civiltà europea*, Atti del convegno internazionale, Firenze, 5–10 dicembre 2004, ed. Donatella Coppini, Michele Feo, special issue of *Quaderni Petrarqueschi*, 17–18 (2007–2008), 1077–1100; Reynolds and Wilson, *Scribes and Scholars*, p. 133.
 - 4 Like other medieval scholars, Petrarch thought the *Rhetorica ad Herennium* was by Cicero.
 - 5 This was the title he initially used for what turned out to be *Academica Priora*, book 2, 'Lucullus', as he later discovered and tells us in *Seniles*, 16. 1: see below, p. 23. See also L. D. Reynolds, 'Petrarch and a Renaissance corpus of Cicero's *Philosophica*', in *Formative Stages of Classical Traditions: Latin Texts from Antiquity to the Renaissance*. Proceedings of a Conference Held at Erice, 16–22 October 1993, ed. Oronzo Pecere, Michael D. Reeve (Spoleto: Centro Italiano di Studi sull'Alto Medioevo, 1995), pp. 409–33 (pp. 430–33).
 - 6 For Petrarch's mutilated copy of the *De oratore* and *Orator*, see Silvia Rizzo, 'Petrarca e il *genus renatum*', in her *Ricerche sul latino umanistico* (Rome: Edizioni di Storia e Letteratura, 2002), pp. 29–73; and see the description of the manuscript (now in the Library at Troyes, MS 552) and the transcription of his marginal notes in Pierre Blanc, 'Pétrarque lecteur de Cicéron. Les Scolies pétarquiennes du *De oratore* et *Orator*', *Studi petrarcheschi*, 9 (1978), 109–66. For the 1421 discovery of the Cicero manuscript at Lodi, see Remigio Sabbadini, *Le scoperte dei codici latini e greci ne' secoli XIV e XV*, 2 vols (Florence: Sansoni, 1905), I, 100–01; L. D. Reynolds, *Texts and Transmission. A Survey of the Latin Classics* (Oxford: Clarendon Press, 1986), pp. 102, 107–08; Reynolds and Wilson, *Scribes and Scholars*, pp. 132, 140.
 - 7 For all references to the *Familiars* or *Rerum Familiarum Libri*, I have used the following edition: Francesco Petrarca, *Le famigliari*, ed. Vittorio Rossi, Umberto Bosco, 4 vols. (Florence: Sansoni, 1933–42).

If one of the main tenets of Renaissance humanism was the search for original texts, then Petrarch made a huge contribution in this area, and his two most significant manuscript discoveries were of texts by Cicero. In June 1333 he found the speech *Pro Archia* in Liège, an oration on behalf of the minor poet Archias which had not been read since antiquity. The oration was not Cicero's most famous speech, and indeed was rather brief, but it was to prove highly significant for the development of the major cultural movement which Petrarch inaugurated, Renaissance humanism. The second significant textual find was his discovery in 1345, in the chapter library in Verona, of Cicero's *Letters to Atticus*, another text that had disappeared from circulation since antiquity. From these letters Petrarch learned much about the reality of politics in ancient Rome, and so disillusioned was he by what he discovered there about Cicero's political manoeuvrings that he immediately wrote the great orator two Latin letters: one of these (*Familiares*, 24.3) condemned his involvement in the Roman civil war which brought him to an end 'unworthy of a philosopher', while the other (*Familiares*, 24.4) praised him for his genius and his literary achievements, but again condemned his lack of consistency in not obeying his own philosophical rules. While previous Christian writers (Augustine, Lactantius) had attacked Cicero for his pagan views, Petrarch was the first to criticize him on his own terms, for failing to live up to his own secular philosophical ideals.⁸

Petrarch thus derived both a cultural and a political message from the *Pro Archia* and the *Letters to Atticus* respectively, but while much has been written about the famous discoveries of these two manuscripts, they have not survived. But there is a third significant Cicero codex from his library which is still extant (Troyes, MS 552): comparatively little has been said about it but I want to suggest that it too played a major role in Cicero's influence on Petrarch.⁹

8 On the originality of this criticism of Cicero, see Alastair Minnis, *The Medieval Theory of Authorship: Scholastic Literary Attitudes in the Late Middle Ages* (Philadelphia, PA: University of Pennsylvania Press, 1988²), 'Epilogue', pp. 211–17.

9 Apart from the Troyes codex, there are only three other manuscripts extant containing works solely by Cicero from Petrarch's library: two are in the British Library (Harleian 4927, containing some orations and *De amicitia*; Harleian 5204, containing the *Somnium Scipionis* and Macrobius' commentary on the *Somnium*); and the third is a manuscript of the *Tusculan Disputations* in Rome, Biblioteca Nazionale, MS 1632. For bibliography on these, see Feo, 'Petrarca e Cicerone'. On the last mentioned MS, see Silvia Rizzo, 'Un nuovo codice delle *Tusculanae* dalla biblioteca del Petrarca', *Ciceroniana*, n.s. 9 (1996), 75–104. Another codex (Paris, Bibliothèque Nationale, Lat. 5802) contains the *Philippics* and *Tusculan Disputations* along with several texts on Roman history by Suetonius, Florus and others: on this MS, see Monica Berté, 'Petrarca e le *Philippicae*: la lettura del Par. Lat. 5802', *Studi Medievali e Umanistici*, 7 (2009), 241–88. There are also two apograph mss: Vat. Pal. Lat. 1820, which

This is a huge, finely illustrated manuscript of many of Cicero's works: it was probably put together in the 1330s, Petrarch acquired it in 1342 but continued to read it and make marginal notes in subsequent years.¹⁰ Though there are no 'new' texts in the Troyes codex, we shall see that Cicero's two rhetorical treatises, *De oratore* and the *Orator*, were carefully read by the humanist, as the margins contain many of his annotations, and in particular the stylistic ideals expounded in the treatises became, as we shall see, part of Petrarch's own aesthetic criteria in both his Latin and vernacular works.

One final original element in Petrarch's attitude to Cicero is his close personal reaction to the classical author. Finding the Atticus letters encouraged Petrarch (and later writers) to collect his own correspondence for later publication, writing first the *Familiares* or letters to friends (1345–66), and then the *Seniles* or letters written in old age (1361–74).¹¹ His individual reaction to the Cicero of the Letters is a response so personal that amongst his correspondence to his friends he included those two letters criticizing the great orator for the first time since antiquity. Time and time again he refers to him as 'meus Cicero', and De Nohac's formula of Petrarch's 'vénération affectueuse' for the Roman orator, which was something different from just plain admiration for Virgil, encapsulates this combination of adulation and private affection for Cicero.¹² Indeed it was this mixture of what Minnis calls 'reverence, awareness of faults and sense of common humanity' that inaugurated a new phase in the reception of Cicero.¹³ The chapter that follows will trace the cultural, literary and personal impact that Petrarch's discoveries made both on himself and on his immediate successors.

contains orations including the *Pro Archia*; and Madrid, Biblioteca Nacional, 9116, which contains philosophical works (on which see Reynolds, 'Petrarch and a Renaissance corpus of Cicero's *Philosophica*').

10 On the manuscript and its contents, see De Nohac, *Pétrarque et l'Humanisme*, I, 226–43; Blanc, 'Pétrarque lecteur de Cicéron'; Rizzo, 'Petrarca e il *genus renatum*'. For reproductions of some of the fine illustrations and a general account of the manuscript's significance and relation to other MSS from Petrarch's library, see Laura Refe, 'Parmi les livres de François Pétrarque: le Cicéron de Troyes', *La Vie en Champagne*, 51 (juillet–septembre 2007), 54–60. I am grateful to Laura Refe for giving me access to this article.

11 On the dating of the *Familiares*, see Roberta Antognini, 'Familiarium Rerum Libri: tradizione materiale e autobiografia', in Teodolinda Barolini, H. Wayne Storey (eds.), *Petrarch and the Textual Origins of Interpretation* (Boston, MA: Brill, 2007), pp. 205–29 (p. 205). For Cicero (and others) as the stylistic model behind the *Familiares*, see Daniela Goldin Folea, 'Pluristilismo del *Familiarium rerum liber*', in Claudia Berra (ed.), *Motivi e forme delle 'Familiari' di Francesco Petrarca* (Milan: Cisalpino, 2003), pp. 261–90.

12 De Nohac, *Pétrarque et l'Humanisme*, I, 217.

13 Minnis, *The Medieval Theory of Authorship*, p. 214.

1 The *Pro Archia* and Humanist Culture

One of the most comprehensive accounts of the humanist's love for the Roman orator is the late letter (*Seniles*, 16.1) to a papal secretary, Luca da Penne, probably written in April 1374, a few months before he died.¹⁴ Da Penne had asked Petrarch if he had any lesser-known works by Cicero but the ageing humanist replies in the negative, though he admits he may have had rare items that have since gone missing. He then tells his correspondent about how he fell in love with Cicero, at a very early age: while his contemporaries were enthralled by medieval school texts such as 'Aesop' or 'Prosper', Petrarch would pore over Cicero, charmed simply by the sweetness and sonority ('dulcedo et sonorusitas') of Ciceronian diction even before understanding its content: by comparison, the sound of other writers' Latin (presumably medieval texts) was the opposite, 'harsh and dissonant' ('raucum, longeque dissonum').¹⁵ This is a remarkable comment: Petrarch was the first reader of Cicero of modern times to accentuate the sound rather than the content of his writings, and these notions of sonority and its opposite, dissonance, were to remain as major aesthetic criteria for Petrarch throughout his life, criteria which he applied with striking consistency to both his Latin and vernacular writings, as we shall see.¹⁶ In this letter he states that from that moment onwards he was driven by a passion to collect works by Cicero. When in later life he had acquired a reputation as a scholar, he returned to his passion, repeatedly asking visitors to Avignon to bring him any works by Cicero that they found in their own countries. It is in this context that he tells us how, aged twenty-five, he discovered the *Pro Archia* in Liège:¹⁷ this work, which had been lost since antiquity, he copied out in his own hand, which took longer than usual since the only ink to be found in the town was of a pale saffron colour. He was also particularly keen to find another text, the one mentioned so enthusiastically by St Augustine, the *Hortensius*,

14 For a detailed analysis of the letter, see Michele Feo, 'Petrarca e Cicerone'.

15 'quando ceteri omnes, aut Prospero inhiant, aut Esopo, ego libris Ciceronis incubui [...]. Et illa quidem etate nichil intellegere poteram, sola me verborum dulcedo quedam et sonorusitas detinebat, ut quicquid aliud vel legerem, vel audirem, raucum mihi, longeque dissonum videretur': see Franciscus Petrarcae, *Opera omnia* (Basle: Sebastianus Henricpetri, 1581), p. 946. For Feo, this sweetness means that Cicero's prose was almost like poetry for Petrarch, and was probably connected with the cadences of Cicero's clauses ('Petrarca e Cicerone', pp. 17–19).

16 See below, pp. 30–33. For the importance of such notions in his vernacular verse, see Martin McLaughlin, 'Struttura e sonorusitas in Petrarca (Rvf, 151–60)', in *Il Canzoniere. Lettura micro e macrotestuale*, ed. Michelangelo Picone (Ravenna: Longo, 2007), pp. 361–82.

17 Actually Petrarch's memory has deceived him in this late letter: he discovered the text in 1333, when he was twenty-nine.

a work in praise of philosophy (*Confessions*, 3.4.7), but when he thought he had discovered this text, he was soon disappointed: he knew that what he was reading was a work by Cicero since his style is 'inimitable', but he discovered that it was in fact *Academica Priora*, book 2 (also known as *Lucullus*). Petrarch's capacity to recognize Cicero's unique style is extraordinary, and it was this connoisseur's expertise in different types of Latin that allowed him to detect that a tax document purporting to come from the time of Caesar was a fake (*Seniles*, 16.5): he unmasked this forgery for the Holy Roman Emperor of the time, and his major proofs came from his reading of Julius Caesar's letters in the *Letters to Atticus*.¹⁸ At the end of the letter to Luca da Penne, he states that he did get hold of lesser known works such as *De oratore* and *De legibus*—both of them incomplete 'as they always are', he notes—and also books 1 and 2 of a work entitled *De Gloria*. He concludes that the only novelties in the Cicero texts he had possessed and read were this latter work, plus 'some orations and letters': presumably under orations here he includes the *Pro Archia*, the *Pro Cluentio*, given to him by Boccaccio in 1355, and four other speeches he received in the early 1350s in return for a copy of the *Pro Archia* sent to Lapo da Castiglionchio the Elder: *Pro lege Manilia*, *Pro Milone*, *Pro Sulla* and *Pro Plancio*.¹⁹ Indeed he was aware of the rarity of the *Pro lege Manilia*, and because it was not a well-known speech he quoted large sections from it on the qualities of a good general in a letter addressed fittingly to the *condottiero* Luchino da Verme (*Seniles*, 4.1).²⁰ This awareness of the relative rarity of some of Cicero's works and his desire to communicate their content to appropriate recipients also mark a new phase in the history of Cicero's reception.

Let us consider the *Pro Archia* in more detail in order to establish its real significance for Petrarch. It is a short speech, as already noted: in fact when

18 See Feo, 'Petrarca e Cicerone'; for the fraudulent tax document and the translation of Petrarch's 1355 letter (*Seniles*, 16.5), see Peter Burke, *The Renaissance Sense of the Past* (London: Edward Arnold, 1969), pp. 50–54.

19 On the *Pro Cluentio*, transcribed for him by Boccaccio in 1355, see Reynolds and Wilson, *Scribes and Scholars*, pp. 132, 134; Silvia Rizzo, *La tradizione manoscritta della 'Pro Cluentio' ciceroniana* (Genoa: Università di Genova, Facoltà di lettere, Istituto di filologia classica e medievale, 1979) and her *Catalogo dei codici della Pro Cluentio ciceroniana* (Genoa: Università di Genova, Facoltà di lettere, Istituto di filologia classica e medievale, 1983); for the other four speeches he received in return from Lapo, see Reynolds, *Texts and Transmission*, pp. 85–86.

20 See Monica Berté, 'Petrarca, Salutati e le orazioni di Cicerone', in *Manoscritti e lettori di Cicerone fra Medioevo e Rinascimento*, Atti del III Simposio Ciceroniano, Arpino, 7 maggio 2010, ed. Paolo de Paolis (Cassino: Università degli Studi di Cassino e del Lazio meridionale, Dipartimento di lettere e filosofia, 2012), pp. 21–52 (p. 29).

Petrarch sends a copy of it to his friend Lapo da Castiglionchio, in 1351, he explicitly says that it is rather brief but claims it is very valuable on two counts: it is 'filled with astonishing praises of poetry' and contains important evidence that the great orator also championed the humanist studies that Petrarch and Lapo delight in.²¹ At the outset of this speech defending the poet Archias, Cicero states that all the arts that contribute to us being 'humane' have a common bond, and here he uses the phrase 'de studiis humanitatis ac litterarum' which will be used by Petrarch and his successors to denote the concept of humanist studies, and will eventually lead to our own words 'humanism' and the 'humanities'.²² These studies include grammar, rhetoric, poetry, history and ethics, the core subjects of later arts or humanities faculties.²³ So the first thing Petrarch found in the speech was the name and concept of humanism.

As for the other element he mentions to Lapo, its 'astonishing praises of poetry', this is exemplified in the *Pro Archia* by Ennius, who according to Cicero made Scipio Africanus immortal through his poetry. A passage such as this appealed greatly to Petrarch in general terms since he would continue to interrogate the relationship between literature and fame throughout his life. But the *Pro Archia*'s praise of Ennius also had a particular resonance since it also accounts for the prominent role the ancient poet will have in Petrarch's epic poem, *Africa*: in fact, in its final book Ennius enjoys as much of a triumph as Scipio himself. The idea that a great hero required a great poet if he was to become immortal was also exemplified in *Pro Archia* when Cicero cites the anecdote of Alexander the Great declaring that Achilles was lucky in having had a great poet like Homer to celebrate him. This idea is evident in the *Africa* but the very wording of the *Pro Archia* text is also transformed by the poet

21 'Orationem Tullianam pro Licinio Archia [...] presentem mitto, refertam miris poetarum laudibus. Iuvabit, puto, fide digno teste cognoscere quod studiis quibus delectamur praeco ingens et praeclarissimus orator accesserit, cuius rei admonuisse te velim, ut rem licet parvam in pretio habeas': Petrarch, *Epistole varie*, 45, now in Francesco Petrarca, *Lettere disperse, varie e miscellanee*, ed. Alessandro Panzeri (Parma: Guanda, 1994), pp. 102–04. In fact Petrarch had already drawn on the *Pro Archia* in his definition of poetry in the speech he made for his laurel coronation, the *Collatio Laureationis* (1341).

22 'Etenim omnes artes, quae ad humanitatem pertinent, habent quoddam commune vinculum, et quasi cognatione quadam inter se continentur. [...] quaeso a vobis, ut in hac causa [...] patiamini de studiis humanitatis ac litterarum paulo loqui liberius [...]'. (Cicero, *Pro Archia*, 2–3).

23 On the *Pro Archia* and the origins of humanism, see Nicholas Mann, 'The origins of humanism', in Jill Kraye (ed.), *The Cambridge Companion to Renaissance Humanism* (Cambridge: Cambridge University Press, 1996), pp. 1–19, and Michael Reeve, 'Classical scholarship', *ibid.*, pp. 20–46 (esp. pp. 20–26).

into the opening of a famous vernacular sonnet: 'When Alexander reached the famous tomb / of fierce Achilles, he sighed and then said: / "O lucky youth who found so great a fanfare [in the *Iliad*] / as well as a poet who wrote so highly of you!"' ('Giunto Alexandro alla famosa tomba / del fero Achille, sospirando disse: / "O fortunato, che sí chiara tromba / trovasti, et chi di te sí alto scrisse!").²⁴

A third key concept found in the oration is the idea that poets rely more on natural talent and a kind of divine inspiration than on learning, and it is for that reason that Ennius called them 'sacred' ('sanctos appellat poetas', *Pro Archia*, 18), again a motif we will find regularly in Petrarch's vernacular poems, where he calls the laurel 'the honoured and sacred frond' ('l'onorata e sacra fronde', *Rerum vulgaria fragmenta*, 34.7).

Petrarch was fascinated by these connected notions as were his fellow humanists, for copies of the speech circulated widely: in fact in another letter he says he has no need to quote from it since his correspondents all had copies, as was evident from their writings (*Familiares*, 13.6.22–23). In terms of the critical fortune of *Pro Archia*, then, Petrarch was the person who rediscovered and preserved the text for posterity, broadcast its cultural importance, and was thus responsible for the fact that there are now over two hundred manuscripts of the speech, with many of his own marginal comments preserved in later manuscripts and some of his emendations now accepted as constituting the correct text.²⁵

2 The Letters to Atticus and the Critique of Cicero's Involvement in Politics

Petrarch's second discovery of a 'new' Cicero manuscript was equally significant. In 1345 he found in the chapter library of Verona cathedral a manuscript

24 RVF, 187, 1–4, lines based on this passage from the speech: 'Atque is tamen, cum in Sigeo ad Achillis tumulum astitisset: "O fortunate" inquit "adulescens, qui tuae virtutis Homerum praeconem inveneris!"' (*Pro Archia*, 24). See also Vincenzo Fera, 'I sonetti CLXXXVI e CLXXXVII', *Lectura Petrarce*, 7 (1987), 219–43.

25 Reeve, 'Classical scholarship', pp. 22–23. Similarly with other key speeches, such as *Pro Cluentio*, *Pro Milone*, *Pro lege Manilia*, *Pro Plancio* and *Pro Sulla*, it was Petrarch's copy that led to these orations being spread throughout Europe in other manuscripts derived from it: see Michael Reeve, 'Recovering annotations by Petrarch', in *Il Petrarca latino e il latino dell'Umanesimo*, Atti del Convegno internazionale, Firenze 19–22 maggio 1991, special issue of *Quaderni Petrarqueschi*, 9–10 (1992–93), 338–48 (p. 341); also Monica Berté, 'Petrarca, Salutati e le orazioni di Cicerone', pp. 37–38.

of Cicero's letters to Atticus, which also contained the smaller collections of letters to his brother Quintus and to Brutus. This was a truly revolutionary find in a number of ways: first, because it restored a substantial part of Cicero's oeuvre, so the correspondence could be added to the corpus of his rhetorical and philosophical works that had been known in the middle ages. Second, because the content of the letters allowed Petrarch to perceive Cicero's political machinations in the build-up to the civil war in Rome: what most disappointed the humanist was Cicero's 'astonishing fickleness' ('mira animi levitate', *Familiares*, 1.1.42) in continually changing sides and opinions, as well as his litigious letters, full of quarrels and reproaches. Petrarch's reading of the letters allows him to formulate the first criticisms of Cicero since the end of the ancient world. Thirdly, it was revolutionary in terms of literary imitation since it inspired Petrarch to make the first collections of letters since antiquity that were based on a secular model, and they followed Cicero's example in two ways: first he imitated Cicero's content by writing about a variety of matters in his correspondence, not just moral-philosophical concerns as in Seneca's epistles, a point he explicitly makes in the introductory letter to his first collection (*Familiares*, 1.1.32); secondly, he imitated Cicero's epistolary style, since the *Letters to Atticus* allowed him to perceive how different that style was from the ornate epistolary Latin of Petrarch's contemporaries, which followed the medieval rules of *dictamen*, and which could be described as baroque compared to the simple elegance of the Latin used by Cicero.²⁶

In his own collections of letters Petrarch follows his master in using no great rhetorical force in the epistles: he knows that such eloquence was not used in either Cicero's letters or dialogues but reserved only for his orations.²⁷ Instead Petrarch deploys what he defines as a 'homely, middling, familiar style', a 'simple and uncomplicated narrative flavoured occasionally with some moral observations, just as Cicero did'.²⁸ It was the letters to Atticus that taught Petrarch that he should abandon the typical medieval use of the plural form of address 'vos' for the simple 'tu' form, as used by Cicero, a point he makes on several occasions. This use of 'tu' and his more restrained, less ornate lexis made an impression on contemporary users of *dictamen*: Jan ze Streda, for

26 For Petrarch's views on literary imitation, see Martin L. McLaughlin, 'Petrarch', in *Literary Imitation in the Italian Renaissance. The Theory and Practice of Literary Imitation in Italy from Dante to Bembo* (Oxford: Clarendon Press, 1995), pp. 22–48.

27 'Nulla hic equidem magna vis dicendi' (*Familiares*, 1.1.14).

28 'hoc mediocre domesticum et familiare dicendi genus [...] simplex et inelaborata narratio quibusdam interiectis moralibus conditur; quod et ab ipso Cicerone servatum est' (*Familiares*, 1.1.16, 35).

instance, who worked in the Imperial chancery, was struck by the huge difference between his own flowery *dictamen* and Petrarch's more sober, classical style.²⁹ Thus with each of these two textual discoveries, Petrarch was not just excited by being able to read a 'new' work by Cicero, but in addition he extracted from them precious values which would shape his own ideas of the humanities in general, and of the themes, genres and style that a writer should pursue, as well as his beliefs about the kind of life the intellectual should live.

But let us examine the critique of Cicero more closely in the two letters addressed to him in the final book of the *Familiars*. The two epistles are introduced by a first letter (*Familiars*, 24.2) which warns that the following two letters will criticize and defend Cicero respectively, and Petrarch justifies his criticism to admirers of the great orator on the grounds of Cicero's humanity: 'if Cicero was a man, then it follows that in certain matters, not to say many, he was wrong'.³⁰ He also anticipates at the end of this letter the criticism that will be expanded on in the next: Cicero's shifting friendships and alliances, his creation of dangerous enemies over trivial causes, his lack of judgment in political matters, and a juvenile passion for pointless quarrelling that was unbecoming in an aging philosopher.³¹ The main letter of criticism then follows (*Familiars*, 24.3). Here Petrarch addresses Cicero, saying how he avidly read his letters as soon as he discovered them, and immediately expresses his disillusionment: he realized that Cicero changed his political position many times and now fully understands what kind of man he was ('quis tu tibi esses agnovi').³² He asks why he abandoned the leisure that suited his circumstances in his twilight years in order to become embroiled despite his old age in the wars of adolescents, which would eventually lead to a death unworthy of a philosopher.³³

29 Silvia Rizzo, 'Il latino del Petrarca nelle *Familiari*', in A. C. Dionisotti, A. Grafton and J. Kraye (eds.), *The Uses of Greek and Latin: Historical Essays* (London: Warburg Institute, 1988), pp. 41–56.

30 'si homo fuit Cicero, consequens esse ut in quibusdam, ne dicam multis, erraverit' (*Familiars*, 24.2.13).

31 'Varium in amicitiiis animum, et ex levibus causis alienationes gravissimas atque pestiferas sibi et nulli rei utiles, in discernendo insuper suo ac publico statu iudicium reliquo illi suo impar acumini, ad postremum sine fructu iuvenile altercandi studium in sene philosopho non laudo' (*Familiars*, 24.2.18).

32 'Audiui multa te dicentem, multa deplorantem, multa variantem, Marce Tulli, et qui iampridem qualis preceptor aliis fuisses noveram, nunc tandem quis tu tibi esses agnovi' (*Familiars*, 24.3.1).

33 'Unum hoc vicissim a vera caritate profectum non iam consilium sed lamentum audi, ubicunque es, quod unus posterorum, tui nominis amantissimus, non sine lacrimis fundit. [...] Ubi et etati et professioni et fortune tue conveniens otium reliquisti? Quis te falsus

He quotes from two of the recently discovered letters (*Ad Brutum*, 1.16.7; *Ad Atticum*, 10.8.8) to emphasize his points and concludes saying how much better it would have been if Cicero had never become entangled in politics and had instead grown old in his country retreat meditating, as Cicero himself said, 'on the eternal life, not on the now brief existence that remained'.³⁴ The letter is dated as being written in Verona in May 1345, and it was probably the first of the *Familiares* to have been written, inspired by the humanist's discovery of this correspondence.³⁵

The criticism in this short epistle is cushioned by being followed by another, much longer letter (*Familiares*, 24.4), also addressed to Cicero, but this time praising his genius and his language, although again briefly criticizing his life and lack of fidelity to philosophical ideals. However, the emphasis is on Cicero's positive achievements: he is the founding father of Roman eloquence, and anyone who writes Latin well is indebted to him; only thanks to Cicero's guidance has Petrarch attained whatever skill in writing he possesses.³⁶ However, although the most critical letter (*Familiares*, 24.3) is sandwiched between an introductory epistle (*Familiares*, 24.2) and a more eulogistic concluding letter (*Familiares*, 24.4), the overall feeling that emerges is one of great disillusionment on Petrarch's part: Cicero's demise gave Petrarch's humanism a contemplative inflection and confirmed him in his view that the intellectual should not become closely involved in politics, but should retreat to the world of private study. It is no accident that Petrarch wrote works in praise of the contemplative life (*De otio religioso*, *De vita solitaria*) and the Petrarchan humanism that he handed down to the next generation of humanists contained that ivory tower ideal as the model for the intellectual, remote from the city and the world of politics.³⁷

glorie splendor senem adolescentium bellis implicuit et per omnes iactatum casus ad indignam philosopho mortem rapuit?' (*Familiares*, 24.3.1–2).

34 'Ah quanto satius fuerat philosopho presertim in tranquillo rure senuisse, de "perpetua illa", ut ipse quodam scribis loco, "non de hac iam exigua vita cogitantem" [Cicero, *Ad Att.*, 10.8.8], nullos habuisse fasces, nullis triumphis inhiasse, nullos inflasse tibi animum Catilinas. Sed hec quidem frustra. Eternum vale, mi Cicero' (*Familiares*, 24.3.7).

35 Francisco Rico, 'Il nucleo della *Posteritati* (e le autobiografie del Petrarca)', in Berra (ed.), *Motivi e forme delle 'Familiari' di Francesco Petrarca*, pp. 1–19 (p. 5); Antognini, *Familiarium Rerum Libri*, p. 206.

36 'O romani eloquii summe parens, nec solus ego sed omnes tibi gratias agimus, quicunque latine lingue floribus ornamur; [...] tuis denique, ut ita dicam, auspiciis ad hanc, quantalacunque est, scribendi facultatem ac propositum pervenisse' (*Familiares*, 24.4.4).

37 For the contrast between Petrarchan 'contemplative' humanism and the later more active or 'civic' humanism of the early Quattrocento, see Hans Baron, *The Crisis of the*

3 Cicero's Rhetorical Works and Petrarch's Aesthetics

Cicero's presence is felt in all of Petrarch's works whether in Latin or the vernacular. Apart from the major Ciceronian concepts which he adapted, he was also charmed even by brief phrases in the orator's works: thus in a number of Latin letters Petrarch tells his correspondent to write and just say 'whatever comes into your mouth' (*Familiars*, 1.5.14; 12.9.3), a phrase that Cicero had used to Atticus in one of his letters (*Ad Atticum*, 1.12). At other times, he imitates the openings of some Cicero letters, beginning one epistle: 'Mi frater, mi frater, mi frater' (*Familiars*, 8.7.1) and pointing out that this is not a novel opening but rather one that goes back to Cicero (*Ad Quintum*, 1.3); similarly, one of his vituperative letters about the Papacy begins: 'Evasisti, erupisti, enatasti, evolasti' (*Sine nomine*, 19), obviously echoing the opening of Cicero's second invective against Catiline: 'Abiit, excessit, evasit, erupit' (*In Catilinam*, 2.1.1).³⁸ Perhaps the most repeated Ciceronian phrase in his works is the maxim from *The Dream of Scipio*, the last book of Cicero's *De re publica* (6.14.18), about the fact that what we call life is really death: 'nostra quae dicitur vita mors est' (quoted in *Africa*, 1. 339–40; *Familiars*, 5.18.6; 10.5.15; *De vita solitaria*, 2.3; *Seniles*, 3.7 etc). Petrarch even translates the phrase into the vernacular when he incorporates it into his rewriting of a sonnet: 'di questa morte che si chiama vita' (*RVF*, 216, 11).³⁹ He seems to be fond of inserting Ciceronian maxims into the last line of a sonnet, since that was the locus for proverbial *sententiae*: thus the final line of one poem (*RVF*, 266, 14: 'portato ò in seno, et già mai non mi scinsi') is almost a direct translation of a phrase from the opening of one of Cicero's letters to his brother Quintus, where he tells his brother that Caesar is very much in his heart and he will not let go of him: 'in sinu est, neque ego discin-gor' (*Ad Quintum*, 2.12 (11).1); and the last line of another sonnet—'veramente fallace è la speranza' (*RVF*, 294, 14)—seems to come from one of the rhetorical dialogues, *De oratore* (3.7): 'O fallacem hominum spem'. In these cases the intertextual source, whether it is a moral dialogue or a political letter, does not

Early Italian Renaissance. Civic Humanism and Republican Liberty in an Age of Classicism and Tyranny, 2 vols (Princeton, NJ: Princeton University Press, 1955; 2nd ed. in 1 vol, 1966); James Hankins (ed.), *Renaissance Civic Humanism: Reappraisals and Reflections* (Cambridge: Cambridge University Press, 2000).

38 For the quote from Petrarch's letter, see Francesco Petrarca, *Sine nomine. Lettere polemiche e politiche*, ed. Ugo Dotti (Bari: Laterza, 1964), p. 218.

39 Similarly when Cicero says the same thing ('haec quidem vita mors est') in *Tusculan Disputations* (1.75), Petrarch wrote in the margin of one of his manuscripts another personal note: 'O, Cicero, tecum ego, quoniam id ipsum scencio, quod hec vita michi mors est in presenti': see Reynolds, 'Petrarch and a Renaissance corpus of Cicero's *Philosophica*', pp. 429–30.

seem to be crucially important, all that matters is the content and the sound of Ciceronian phrasing. So everything in Cicero, from large themes and ideas to individual words and cadences, haunted Petrarch the writer.

At this point it is worth returning to the sonorous qualities of Cicero's Latin which first captivated Petrarch, as he says in the letter to Luca da Penne, quoted at the outset. The idea recurs in many different contexts. In the invective, *De sui ipsius et aliorum ignorantia*, he notes that if Cicero had been a Christian, then his praise of Christ would have been not truer nor holier but perhaps 'sweeter and more sonorous', hinting at a critique of medieval Christian writers.⁴⁰ Similarly, in the *Pro Plancio* letter already mentioned he says that as he transcribed each phrase of the speech he perceived great sweetness ('tantum dulcedinis', 18.12.4) in Cicero's Latin, and this indescribable charm ('dulcedine inenarrabili', 18.12.8) allowed him to copy it so quickly that he hardly noticed the labour; and in the *De ignorantia* he cites a lengthy passage from the *De Natura Deorum*, because he was so enraptured by the 'customary sweetness' of Cicero's Latin.⁴¹ What is striking is that this poetics of sweetness and sonority seems to carry over into Petrarch's Italian poems. In the poet's draft manuscript of the *Rerum Vulgarium Fragmenta* (Vat. Lat. 3196) one of the longest notes he writes in the margin comments on the opening quatrains of sonnet 155, which begins 'Non fur ma' Giove et Cesare sí mossi ...' (Never was Juppiter or Caesar so quick ...). At the bottom of the folio (Vat. Lat., f. 3v) he writes:

Careful, because I had in mind to change these four lines, so that the first quatrain should come second and vice versa, but I desisted because of the sound of the beginning and the end, and because the more sonorous verses would have been in the middle, and the more strident at the beginning and end, which is against the rules of rhetoric.⁴²

The poet clearly thought at one stage of swapping the opening four lines with those of the second quatrain, but the second four lines begin 'Piangea madonna'

40 'Quid nunc igitur? Ciceronemne ideo catholicis inseram? Vellem posse. [...] haberemus [...] Dei nostri non quidem veriora, nec sanctiora [...] at forsitan dulciora et sonantiora preconia': see *De ignorantia*, book 4, in Francesco Petrarca, *Opere latine*, ed. Antonietta Bufano et al., 2 vols (Turin: UTET, 1975), II, 1082.

41 'dulcedine quadam non insolita raptus': Petrarca, *Opere latine*, II, 1080. The Cicero passage was *De natura deorum*, 2.97–104.

42 'attende quia hos 4. versus venit in animum mutare, ut qui primi sunt essent ultimi et e converso, sed dimisi propter sonum principii et finis et quia sonantiora erant in medio, rauciora in principio et fine, quod est contra rethoricam.' I quote Petrarch's comment from Francesco Petrarca, *Canzoniere*, ed. Marco Santagata (Milan: Mondadori, 1996), p. 726 (but my emphasis).

(‘My lady was weeping . . .’) and continue in a more plangent, much less ‘sonorous’ tone than the quatrain containing those lofty allusions to Juppiter and Caesar. In the end he changed his mind about inverting the quatrains because this would have been ‘against the rules of rhetoric’, but which rules? One critic has suggested that these were rules of pure tonality (‘dimisi propter sonum’) which belonged to a kind of personal *ars poetica*.⁴³ And certainly this note about ‘sonantiora’ and ‘rauciora’ is consistent with the terminology used by Petrarch in the Da Penne letter to describe his early love for the ‘sweet and sonorous’ sound of Cicero’s words (‘verborum *dulcedo* quedam et *sonoritas*’) compared with which all other writings sounded ‘shrill and dissonant’ (‘*raucum* mihi longeque *dissonum*’).⁴⁴ In another page of the draft manuscript of his *rime* (13r), he notes that he prefers one version of a line—‘pon freno al gran dolor che ti trasporta’, from the canzone for the death of Laura (RVF, 268)—simply because it is more sonorous: ‘hoc placet quia sonantior’.⁴⁵ Where did this terminology come from? The answer is Cicero’s rhetorical treatises, the *De oratore* and *Orator*, which Petrarch read and annotated in the Troyes codex (although he did not realize that the *Orator* was a separate work and regarded it as the fourth book of *De oratore*): there we find over forty marginal notes about rhetoric and poetics, ten of which have to do with sonority.⁴⁶ At a passage in *De Oratore* 3.150, where Cicero warns orators against using obsolete words and urges them instead to use carefully chosen and illustrious words in which there is something full and sonorous (‘plenum quiddam et sonans’), Petrarch’s cross-reference in the margin to a sentence in Macrobius shows he read this passage carefully.⁴⁷ There is a similar passage in the *Orator*, 163, where Cicero advises the orator to choose words that are particularly ‘bene sonantia’ and taken from ordinary language and here the humanist writes in the margin:

43 Rosanna Bettarini, ‘Il libro sommerso degli scartafacci’, in *Lacrime e inchiostro nel Canzoniere di Petrarca* (Bologna: CLUEB, 1998), pp. 161–76 (p. 168). Petrarch adopted similar criteria in his Latin works, making minor alterations—for instance changing ‘accedit quod dum [...]’ to ‘accedit quia dum [...]’ (*Familiares*, 8.9.27)—simply to avoid the repetition of two letters (in this case ‘quod dum’): see Silvia Rizzo, ‘Il latino del Petrarca e il latino dell’Umanesimo’, in *Il Petrarca latino e le origini dell’Umanesimo*, pp. 349–65 (pp. 354–55).

44 Petrarca, *Opera omnia*, p. 946.

45 Francesco Petrarca, *Trionfi, Rime estravaganti, Codice degli abbozzi*, ed. Vinicio Pacca, Laura Paolino, Introduzione di Marco Santagata (Milan: Mondadori, 1996), p. 858.

46 Blanc, ‘Pétrarque lecteur de Cicéron’, pp. 163–64.

47 Blanc, art. cit., p. 151.

'Nota'.⁴⁸ Such notes confirm both Petrarch's taste for sonorous words and also ones that are not too *recherché*, for, like Cicero, he aims at a middle elegance of lexis in both languages.⁴⁹ All these passages and the relative comments in his manuscript show that an integral part of his poetics, the need for sweet-sounding and sonorous words, is consistent across the two languages, so even his vernacular poems echo Ciceronian motifs in terms of content but are also guided by aesthetic criteria that derive ultimately from the Roman orator as well.⁵⁰

One other element, this time of structure, derives from his reading of the *De oratore*. A passage in the second book of the dialogue states that 'The beginning of an oration should be so linked with what follows that unlike an artificial opening dreamt up by a lute-player, it should seem like a limb that is totally connected with the rest of the body of the speech'.⁵¹ Petrarch certainly read this passage carefully since he comments in the margin: 'Note this, as it is something ignored by all preachers of our times' ('Nota, contra omnes predicatorum temporum nostrorum').⁵² Petrarch's sense of structure particularly in his sonnets, his ability to pick up at the end of the poem the motifs that had been sounded at the outset, surely also derive from this Ciceronian principle: thus Cicero's rhetorical rules also applied to the structure as well as the style of his vernacular sonnets.⁵³

48 Blanc, art. cit., p. 157. A similar note is made by Petrarch at *Orator*, 124, where Cicero says the narrative part of any oration must use clear, almost everyday speech ('narrationes [...] prope cotidiano sermone explicatae dilucide').

49 See Vitale's comment on the tone of Petrarch's poetry being 'proprio del *genus dicendi* temperato e armonioso': Maurizio Vitale, *La lingua del Canzoniere* ('*Rerum Vulgarium Fragmenta*') di Francesco Petrarca (Padua: Antenore, 1996), p. 17.

50 'I modi con i quali Petrarca si accosta al latino e al volgare sono sostanzialmente omogenei' (Santagata, 'Introduzione', in Petrarca, *Canzoniere*, cit., p. XLIII). For a fuller discussion of these poems and the concepts of sonority, see McLaughlin, 'Struttura e *sonoritas* in Petrarca', pp. 372–75. The terms 'sonans', 'sonantior' etc. occur on several other occasions in Petrarch's letters: see *Familiares*, 1.3.5; 18.8.17; and *Disperse*, 61 (*Lettere disperse*, ed. Pancheri, pp. 418–22): this last was the letter discovered by Nicholas Mann in the 1970s where Petrarch decides to change a line in his tenth eclogue (*Bucolicum Carmen*, 10.302) in order to make it 'sonantior' and to avoid verbatim imitation of a famous line from Horace.

51 Petrarch's copy reads: 'Conexum autem ita sit principium consequenti orationi, ut non tamquam citharedi premium affectum aliquod, sed coherens cum omni corpore membrum esse videatur' (Cicero, *De oratore*, 2.35).

52 P. Blanc, art. cit., p. 148.

53 For more detailed analysis of the structure of the sonnets, see McLaughlin, 'Struttura e *sonoritas*', cit.

4 Petrarch's Personal Identification with Cicero

Finally let us consider Petrarch's uniquely personal reaction to and identification with Cicero. Time and time again, the humanist realizes that he shares many of his great predecessor's tastes, and this allows him to identify with Cicero even more strongly. He is delighted to realize that his own passion for acquiring new texts is matched by or perhaps partly modelled on Cicero's hunger for books: in one letter he tells his correspondent that he is as obsessed with urging others to procure books for him as Cicero was, a feature he had noticed in many of the letters to Atticus (*Familiars*, 3.18.12). He also reminds the same friend that he seeks out particular texts just because they are mentioned in Cicero's works: thus Cicero's *Academica* made Varro dear to him, he heard Ennius' name for the first time in the *De officiis*, he first fell in love with Terence because he was mentioned in the *Tusculans*, and so on (*Familiars*, 3.18.4). In another letter (*Familiars*, 12.8) he says that when he was in the Vacluse countryside his only company there was Cicero, but the manuscript he took with him contained many works, so that Petrarch was actually in the company of the characters that populate Cicero's letters (Atticus, Brutus), rhetorical works (Herennius), speeches (Milo, Sulla, Pompey) and philosophical dialogues (Varro, Nigidius and Cratippus, Cicero's son Marcus etc.). Another striking example of identification with his master is when Petrarch explains how he had transcribed the whole of the *Pro Plancio* with great enthusiasm, for he knew it was a very rare work (*Familiars*, 18.12.4), but just when his hand was starting to tire, he was delighted to read at a certain point that Cicero in this same speech (*Pro Plancio*, 66) talks about how he too laboured to transcribe the speeches of others (*Familiars*, 18.12.6–7). It is not surprising, then, that Petrarch's marginal comments on his manuscripts of Cicero have at times both an acute literary-critical dimension and also an astonishingly informal friendliness: when Cicero uses a suitable simile in *Pro Cluentio* 67, for instance, Petrarch writes: 'similitudo aptissima', and later, when Cicero uses irony and innuendo (*Pro Cluentio* 167), he notes: 'callidissime, M. Tulli!'⁵⁴

Another feature of this personal identification is the fact that Petrarch constantly wants to save Cicero from Christian condemnations, often recalling Jerome's famous dream in which he was accused of being 'Ciceronianus' rather than 'Christianus' (Jerome, *Epistle*, 22.30). One letter (*Familiars*, 21.10) claims that he is not afraid of being insufficiently Christian by being so much a Ciceronian, for the Roman writer never said anything against Christ, and although he sometimes mentions the pagan gods, for instance in the *De natura*

⁵⁴ Rizzo, *La tradizione manoscritta della Pro Cluentio ciceroniana*, pp. 129, 131.

deorum, Cicero laughs at their absurdity and in his more serious moments prefers to talk of one God whom he calls the 'prince and ruler of the world' (*Familiare*, 21.10.9). Petrarch adds: 'Christ is our God, but Cicero is our prince of eloquence: I admit they say different things but they are not opposed to each other'.⁵⁵ This idea is also present in the *De ignorantia* where Petrarch's position is more contradictory. At one point he praises the orator's sonorous eloquence, yet just a few lines later he condemns Cicero for resuming his talk about pagan gods 'like someone going back to their vomit'.⁵⁶ The end of book 4 returns to Jerome's dream and the danger of being non-Christian by being Ciceronian. He notes that Jerome, Augustine and other Church fathers appreciated and to an extent echoed the great orator's style, so he has precedents for his admiration for Cicero. It is at this point that Petrarch makes an important distinction: as far as style is concerned, he admires Cicero above any other author, from any nation, but he does not therefore want to imitate him, since he was very wary of following any literary model too closely, a position that is echoed in all of Petrarch's pronouncements on literary imitation, where he always insists on creative not verbatim imitation.⁵⁷ He ends this section claiming that in any case if Cicero had lived to hear the word of Christ he would have become a Christian, so his eloquence should not be a barrier to being a Christian. Petrarch thus does everything in his power to 'save' Cicero for the Christian world.

One final personal episode takes us back to the *Letters to Atticus*. In the letter mentioned above where he claims Cicero is compatible with Christianity (*Familiare*, 21.10), Petrarch goes on to narrate a curious episode that also underlines the intimate nature of his rapport with the orator. He had a copy of Cicero's letters near the door of his library as he often needed to refer to it, but on several occasions as he came into his study his gown caught on the

55 'sepe ille quidem deos nominat seculi sui morem sequens; quin et volumine integro deorum naturam tractat, ubi si acrius attendatur, deorum turbam et inania nomina non tam celebrat quam irridet ac detegit; et certe ubi ex proposito loquitur, unum Deum eumque "principem" mundi "rectorem" vocat. [...] Cristus equidem Deus noster, Cicero autem nostri princeps eloquii: diversa fatear, adversa negem' (*Familiare*, 21.10.9–11).

56 'mox ad deos suos ut ad vomitum redit', *Opere latine*, II, 1082–84.

57 'Ubi ergo de his, de eloquentia presertim queritur, Ciceronem fateor me mirari inter, imo ante omnes, qui scripserunt unquam, qualibet in gente, nec tamen ut mirari, sic et imitari, cum potius in contrarium laborem, ne cuiusquam scilicet imitator sim nimius, fieri metuens quod in aliis non probo. Si mirari autem Ciceronem, hoc est ciceronianum esse, ciceronianus sum' (*De ignorantia*, book 4, in *Opere latine*, cit., II, 1122). For his other statements on literary imitation, see McLaughlin, *Literary Imitation in the Italian Renaissance*, pp. 25–34.

book and it fell against his leg so often that it caused a wound to open up which he had to summon doctors to heal. Petrarch's jocular complaint to his favourite author also emphasizes this personal dimension: 'What is the reason, my dear Cicero, that you wound me so?' (*Familiars*, 21.10.16). The incident, whether true or invented, articulates a physical closeness between Petrarch and his great model that is unparalleled in previous centuries and symbolizes the broader sense of identification between the two writers that we have been tracing here.

Conclusion

It was thanks to Petrarch's mediation that Cicero was reconfirmed even more strongly as the preeminent Latin author, and a model to inspire the next two centuries of Neo-Latin writers, not just in Italy but across Europe. His influence permeates all of Petrarch's writings and culture, as we have seen, from broad themes and genres to individual maxims, phrases and aesthetics. The humanist is inspired to imitate Ciceronian genres, such as invectives, letters, philosophical treatises (*De otio*, *De vita solitaria*), and a philosophical dialogue, the *Secretum*, which explicitly follows the semi-dramatic format that he had found in two of his favourite Ciceronian works, the *De amicitia* and the *Tusculan Disputations*.⁵⁸ In fact of all Cicero's works, the *Tusculans* is the one to which he refers most frequently, with large tracts of the *De remediis utriusque fortune* being based on it.⁵⁹ Similarly, a whole sequence towards the end of the invective

58 'Ego enim ne, ut ait Tullius, "inquam et inquit sepius interponerentur, atque ut coram res agi velut a presentibus videretur" collocutoris egregii measque sententias, non alio verborum ambitu, sed sola propriorum nominum prescriptione discrevi. Hunc nempe scribendi morem a Cicerone meo didici; at ipse prius a Platone didicerat' (Petrarch, *Secretum*, in *Opere latine*, I, 50). Petrarch is clearly quoting this passage: 'Eius disputationis sententias memoriae mandavi, quas hoc libro exposui arbitrato meo; quasi enim ipsos induxi loquentes, ne "inquam" et "inquit" saepius interponeretur, atque ut tamquam a praesentibus coram haberi sermo videretur' (*De amicitia*, 3), but a similar point is also made at the start of the *Tusculan Disputations* (1.8).

59 Petrarch acquired a third copy of the *Tusculans* in order to reread it with an eye to the composition of the *De remediis*: see Silvia Rizzo, 'Un nuovo codice delle *Tusculanae* dalla biblioteca del Petrarca', *Atti del IX Colloquium Tullianum. Courmayeur, 29 aprile-1 maggio 1995*, special issue of *Ciceroniana*, 9 (1996), 75-104; for proof that this was the most important source for the *De remediis*, see *Petrarch's Remedies for Fortune Fair and Foul. A Modern English Translation with a Commentary* by Conrad H. Rawski, 5 vols (Bloomington: Indiana University Press, 1991), V, 288-89.

tive *Contra eum qui maledixit Italie* is about the superiority of the Latins over the Greeks in cultural achievements and for this idea Petrarch quotes Cicero's words from the opening of book 1 of the *Tusculans*.⁶⁰ Another letter compares the five books of the *Tusculans* to five of Hercules' labours (*Familiares*, 18.14) and says it was one of the earliest Ciceronian texts he acquired (*Familiares*, 18.14.12). But Cicero also influenced the humanist's poetic works: in his Latin epic, the *Africa*, though in terms of subject matter it is based on Livy's account of Scipio Africanus' triumph over Hannibal, the prominent role played by Ennius in the poem, who enjoys a triumph similar to that of the great general, is explained by Petrarch's reading of the *Pro Archia*. In addition, the vision of the heavens and Rome's future in book 2 of the *Africa* is based on the famous *Dream of Scipio* that constitutes book 6 of Cicero's *De re publica*, another favourite text. Cicero permeates all Petrarch's works, as we have seen, from his Latin epic and prose works to his vernacular lyrics.

However, Petrarch's criticisms of Cicero's political behaviour make the Roman writer more of a human being and less of an untouchable ideal, and they are indicative of the new interest in the precise historical recovery of antiquity ushered in by Petrarch himself. For all his adulation of Cicero, the humanist keeps a critical distance, and is prepared to admit, for instance, that Quintilian was superior in writing a fuller treatment of rhetoric in his *Institutiones Oratoriae* (*Familiares*, 24.7.3). One of the aspects that Petrarch seeks out in his great model is the personal dimension, the human/humane/humanistic in his works. Indeed it has recently been argued that there is in Petrarch's career a move from philology to philosophy which takes place after the discovery of Cicero's Letters in 1345: after this time he starts to ask Cicero as much as himself who he really was as a person ('quis tu tibi esses').⁶¹

Billanovich said that Petrarch's engagement with Cicero was a fragment of the history of Ciceronianism, but perhaps it was more the cornerstone of the new edifice of Cicero's fortune in the modern world.⁶² Without Petrarch the corpus of Cicero's works that survive today would have been much less, both in

60 'atque illud esse verissimum, quod Tullius ipse confirmat multis in locis, sed in uno maxime: "Meum" inquit "semper iudicium fuit omnia nostros aut invenisse per se sapientius quam Grecos, aut accepta ab illis fecisse meliora, que quidem digna statuissent in quibus elaborarent"' (Petrarch, *Opere latine*, II, 1232–34, quoting Cicero, *Tusculan Disputations*, 11).

61 Francisco Rico, 'Philologie et philosophie chez Pétrarque', in Maurice Brock, Francesco Furlan, Frank La Brasca (eds.), *La bibliothèque de Pétrarque. Livres et auteurs autour d'un humaniste*. Actes du 11^e Congrès international sciences et arts, philologie et politique à la Renaissance, 27–29 novembre 2003 (Turnhout: Brepols, 2011), pp. 35–60 (pp. 49–51).

62 Billanovich, 'Petrarca e Cicerone', p. 106.

quantity and quality (in terms of textual accuracy): he was simply the greatest philologist of the fourteenth century. Yet his attitude to Cicero remains a critical one and is partly determined by two phrases in Quintilian: on the one hand, he is confirmed in his admiration for the Roman orator, for Quintilian says that whoever admires Cicero's style has already made considerable progress in rhetoric (*Institutio Oratoria*, 10.1.112); but on the other hand Quintilian also states that no one should swear imitative allegiance to just one author to the exclusion of all others (*Institutio Oratoria*, 10.2.24), so Petrarch never became a Ciceronian in the strict sense that this term would take on in the late 1400s and early 1500s (see chapter 14). By then Ciceronianism would have become a widespread intellectual fashion, especially in Italy, and extreme Ciceronians would refuse to use any Latin word or phrase not in the master's works, the stance mocked by Erasmus in his *Ciceronianus* (1528). Petrarch's Latin was never impeccably classical, and it owed as much to Seneca and some medieval writers as it did to Cicero, as the studies of Silvia Rizzo have shown. But let us leave the last word to one of the most talented Latinists of the generation after Petrarch: Leonardo Bruni in his *Vita del Petrarca* (1436) offered the most accurate assessment of his predecessor's achievements and limitations, for he recognized that it was Petrarch's discovery, understanding and appreciation of Cicero's works that opened the road to the perfected Latin of the Quattrocento:

Francesco Petrarca was the first who had such genius that he recognized and revived the ancient elegance of style that had been lost and extinguished, and even although his Latin was not perfect, he managed single-handedly to see and open the way to the current perfection, *by finding Cicero's works and appreciating and understanding them*. He adapted his own style, inasmuch as his skills and knowledge allowed him, to that most elegant and perfect form of eloquence.⁶³

63 'Francesco Petrarca fu il primo il quale ebbe tanta grazia d'ingegno, che riconobbe e rinvocò in luce l'antica leggiadria dello stile perduto e spento, e posto che in lui perfetto non fusse, pur da sé vide ed aperse la via a questa perfezione, *ritrovando le opere di Tullio e quelle gustando ed intendendo*, adattandosi quanto poté e seppe a quella elegantissima e perfettissima facondia': see Leonardo Bruni, *Opere letterarie e politiche*, ed. Paolo Viti (Turin: UTET, 1996), pp. 555–56 (my emphasis).

Cicero's Portion of Montaigne's Acclaim

Kathy Eden

As antiquity's larger-than-life literary *paterfamilias*, Marcus Tullius Cicero leaves a legacy that is credited by some early moderns with enriching the renaissance of "good letters" (*bonae literae*) and by others with inflating and so ultimately impoverishing it.¹ One of the most outspoken early moderns (in print, at least), Michel de Montaigne (1533–1592) makes no bones in his *Essais* about his disdain for the father of Roman eloquence. Although Montaigne openly takes sides against Cicero, however, the careful study of Montaigne's sources published over a century ago by Pierre Villey has made it harder for twenty-first-century readers to take the sixteenth-century essayist entirely at his word. For Villey demonstrates that Montaigne borrowed almost as much from Cicero over the course of his literary career as he did from Plutarch, his openly acknowledged favorite author.² In light of the work of Villey and others, I will first briefly review the case for and against Cicero in the *Essais* and then add to this evidence what I take to be, contrary to Montaigne's protestations, a

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- 1 On the so-called Ciceronian controversy, see Remigio Sabbadini, *Storia del ciceronianismo e di altre questioni letterarie nell'età della Rinascienza* (Turin, 1884); Izora Scott, *Controversies over the Imitation of Cicero in the Renaissance* (New York, 1910; rpt. Davis, California, 1991); Martin L. McLaughlin, *Literary Imitation in the Italian Renaissance: The Theory and Practice of Literary Imitation in Italy from Dante to Bembo* (Oxford, 1995); G. W. Pigman III, "Imitation and the Renaissance Sense of the Past: The Reception of Erasmus' *Ciceronianus*," *Journal of Medieval and Renaissance Studies*, 9 (1979), 155–77 and "Versions of Imitation in the Renaissance," *Renaissance Quarterly*, 33 (1980), 1–32; *Ciceronian Controversies*, ed. JoAnn DellaNeva (Cambridge, Mass., 2007), vii–xxxv.
 - 2 On Cicero, cited 312 times in the *Essais* either by reference or quotation, see Pierre Villey, *Les sources et l'évolution des "Essais" de Montaigne* (Paris, 1908; rpt. New York, 1968), 98–104 at 104. Regarding Cicero's influence, Villey concludes (101): "C'est seulement après 1588 que Montaigne a constamment pratiqué Cicéron, mais alors il lui a fait un nombre considérable d'emprunts. A cette époque il semble avoir changé complètement d'opinion, et avoir été tout-à-fait intéressé par les écrits philosophiques dont il critiquait si fort 'la façon' avant 1580." On Montaigne's criticisms of Cicero, see M. McKinley, "Auteurs latins" in *Dictionnaire de Michel de Montaigne*, ed. Philippe Desan (Paris, 2004), 78, and Jeffrey Martin Green, "Montaigne's Critique of Cicero," *Journal of the History of Ideas*, 36 (1975), 595–612. On Plutarch, cited 398 times in the *Essais* either by reference or quotation, see Villey, *Les sources et l'évolution*, 198–200 at 200.

Ciceronian feature of his style. The self-proclaimed anticiceronian, as I hope to show, owes at least a portion of his acclaim to a figure of speech called *acclamatio* in Latin—a figure of speech that both ancient and early modern rhetoricians regularly trace back to Cicero. My aim, then, is to consider just how much Ciceronian *acclamatio* figures in Montaigne's acclaim.³

Montaigne's objections to Cicero focus about equally on the man and his manner of speaking. A cluster of essays in the middle of Book I (1.39, 40, 41), including "A consideration upon Cicero" (1.40), reduces the Roman statesman to his reigning quality of ambition for renown, his well-documented love of glory. In Book II (II.16), when Montaigne returns to this topic, Cicero is chided once again for his addiction. "I believe that if we had the books that Cicero had written on this subject," Montaigne speculates about the lost *De gloria*, "he would tell us some good ones; for that man was so frenzied with this passion that if he had dared, he would, I believe, have readily fallen into the excessive view into which others fell, that virtue itself was desirable only for the *honor* that always attended it" (II.16 Frame, 470, italics mine).⁴ Here as elsewhere in the *Essais*, Cicero is identified as the *philotimos*, the honor-lover; but he fares no better as the *philosophos*.⁵ His is a "talky philosophy" or "philosophie parlriere" (1.39, Frame 183; Villey 248): short on substance, strength of argument and

3 The Ciceronian aspects of Montaigne's style were appreciated, albeit without much stylistic analysis, by Hugo Friedrich, (*Montaigne*, trans. Dawn Eng [Berkeley, 1991], 375): "Montaigne loves the pointed short sentence, but he also likes the extended rhetorical period. The legacy of the two types is combined in the *Essais*: the laconic style of Seneca and the discursive, or narrative, broad style of Cicero and Livy. Both types had been widely imitated in vulgar-language artistic prose of the Romance Renaissance literatures. But Montaigne lets neither of these types predominate." For the more one-sided evaluation of Montaigne's Senecan style by some of his anticiceronian admirers in the seventeenth century, see Pierre Villey, *Les Essais de Michel de Montaigne* (Paris, 1924), II, 1204–11. All quotations in French from the *Essais* are from this edition and are noted parenthetically in the text by book and chapter number and page number. For a more recent treatment of Montaigne's anticiceronianism, see Morris W. Croll, "*Attic*" and *Baroque Prose Style*, eds. J. Max Patrick and Robert O. Evans (Princeton, 1966).

4 Here and hereafter, all translations of the *Essais* are from *The Complete Essays of Montaigne*, trans. Donald M. Frame (Stanford, California, 1957) and are noted parenthetically in the text by book, chapter number and page number.

5 For Montaigne on the Pythagorean story of the three kinds of attendees at the Olympic games, told in the last book of Cicero's *Tusculan Disputations* (5.3) and transformed by Plato into three kinds of love—that of money, of honor and of wisdom—see 1.26 (Frame 117; Villey 158): "Our life, Pythagoras used to say, is like the great and populous assembly at the Olympic games. Some exercise their bodies to win glory in the games, others bring merchandise to sell for gain. There are some, and not the worst, who seek no other profit than to see

stirring effects. Even Cicero's *Tusculan Disputations*, the philosophical work with the greatest impact on the final edition of the *Essais*, is deemed expendable. In "Of physiognomy" (III.12), Montaigne reflects that having read it made him no more cheerful about facing death (Frame 794, Villey 1039). In contrast to Seneca, Montaigne insists (II.31, Frame 541, Villey 716), Cicero even failed to persuade himself that death is worthy of contempt. Indeed, the average French villager, Montaigne chides in his "Apology for Raymond Sebond," leads a more tranquil, properly philosophical life than the renowned Roman author who, described as a "poor calamitous animal," wrote so much about it (II.12, Frame 360, Villey 489).

If Cicero's virtues are suspect in the *Essais*, so ultimately is his style—even though Montaigne concedes its mastery. In his essay "Of books" (II.10), Montaigne concludes his character sketch of Cicero as a soul amiable enough but lacking in excellence with this concession: "As for his eloquence, it is entirely beyond comparison; I believe that no man will ever equal him" (Frame 302). And in "A consideration upon Cicero," this same eloquence is characterized as "supreme perfection" (I.40, Frame 185). "I would say what Cicero says," Montaigne writes elsewhere (III.7, Frame 700), "if I could speak as well as he." And yet, for Montaigne, who claims to want to become wiser rather than more eloquent (II.10, Frame 301, Villey 413), Cicero's "way of writing" or "façon d'écrire" is, finally, "boring" ("ennuyeuse"). Far from denying the power of language to facilitate human relations (II.18, Frame 505), Montaigne denigrates only that rhetoric which sets out to make "little things appear and be thought great" (I.51, Frame 221), in stark contrast to his own professed lack of skill in making things appear "more precious than they really are" (II.17, Frame 483). In keeping with this denigration of rhetoric, Montaigne reclaims for his chambermaid the figures of speech, including metonymy, metaphor and allegory. Despite their pride of place in the arsenal of the rhetorician, these figures make up her daily chatter (I.51, Frame 223; Villey 307). Metaphor in particular, Montaigne notes, furnishes everyday language with a richness that allows it not only to *say* more but to *mean* more than it says (III.5, Frame 665). Although he admits to using language that is "thick in figures of speech" ("épais en figures") (III.5, Frame 667; Villey 875), he insists that this figurative dimension of his style is habitual—the way he always speaks.

Montaigne's admission that his style is rich in figures and especially in metaphors, easily corroborated by a casual reading of his essays, has been confirmed

how and why everything is done, and to be spectators of the life of other men in order to judge and regulate their own."

by a number of careful studies.⁶ To my knowledge, however, none of these has drawn attention to one particular figure that Montaigne uses throughout the essays on the advice of the most esteemed rhetorical authorities, both ancient and early modern.⁷ Among these authorities is Quintilian, whose *Institutio oratoria*, a complete curriculum in twelve books for the apprenticing Roman statesman, Montaigne cites on numerous occasions.⁸ In Book 8, which (alongside Book 9) provides early modernity with one of its most influential treatments of the figures of speech, Quintilian includes the *epiphonema*—*acclamatio* in Latin—within the larger category of *sententiae*, those bright thoughts or *lumina* that tend to come at the end of passages and have taken to cluttering the discourse of the early empire (8.5.2).⁹ Identifying it closely with the enthymeme (cf. 11.1.52), Quintilian defines the *epiphonema* as a final utterance, a *summa adclamatio*, that either clinches an argument or sums up a narrative (8.5.11: *est enim epiphonema rei narratae vel probatae summa adclamatio*). It is something of an added flourish (*extrema quasi insultatio*) (8.5.11), best demonstrated in prose by Cicero's oratorical style. As one type of *sententia*, moreover, the *epiphonema* is often overused by first-century speakers, who expect their audience to appreciate their frequent *clausulae* or closings with its own acclamations (*adclamations*) in the form of applause.¹⁰ Although he disdains these "little sentences" (*sensiculi*) for their fragmentation, affectation and irrelevance, Quintilian cannot resist summing up his case against them

6 See, for instance, Margaret M. McGowan, *Montaigne's Deceits: The Art of Persuasion in the "Essais"*, (Philadelphia, 1974); Gisèle Mathieu-Castellani, "Dire, Signifier: La Figure de la *Significatio* dans les *Essais*," *Montaigne Studies*, 3 (1991), 68–81; Donald M. Frame, *Montaigne's "Essais": A Study* (Englewood Cliffs, N.J., 1969), 86–96.

7 In *Montaigne's Deceit* (31), McGowan acknowledges in passing Montaigne's use of this figure without mentioning its technical name: "It should not surprise us, therefore, to find in the *Essais* (almost alongside statements of disorder and naivety) lapidary phrases, turned and polished to clinch an argument or sum up a position. He shared his contemporaries' admiration for the pithy phrase, the motto or the proverb which, through its conciseness, stimulated both pleasure and thought."

8 For Montaigne's references to Quintilian, most plentiful in the final edition of the *Essais*, see Villey, *Les sources et l'évolution*, 203.

9 All references to Quintilian are to the *Institutio oratoria*, trans. Donald A. Russell, 5 vols. (Cambridge, Mass. 2001) and are cited here and hereafter parenthetically in the text. See also Heinrich Lausberg, *Handbuch der literarischen rhetorik* (Stuttgart, 1990), 433–34, 523 and in English *Handbook of Literary Rhetoric: A Foundation for Literary Study*, trans. Matthew T. Bliss, Annemick Jansen, and David E. Orton (Leiden, 1998), 391–92.

10 On the expectation by Roman orators of audience acclamation, see Gregory S. Aldrete, *Gestures and Acclamations in Ancient Rome* (Baltimore, 1999), who does not mention the rhetorical figure.

with his own *epiphonema*. “[F]or there cannot be as many good *sententiae*,” Quintilian concludes with a flourish (8.5.14), “as there must be closures!”

Sixteenth-century rhetoricians writing in Latin and in the vernacular regularly repeat not only Quintilian’s brief account of the *epiphonema* or *acclamatio* but also his examples. Like Montaigne, these rhetoricians may very well have been working directly with the *Institutio oratoria*, which would undoubtedly have found a way into their libraries. But they may also have had a copy of Erasmus’ *De copia* at their elbows, as Montaigne almost certainly did.¹¹ In Book II of this most popular Renaissance textbook, Erasmus introduces the *epiphonema* as part of his discussion of the illustrative example (Gr. *paradeigma*), amplifying here as elsewhere the brief treatment in Quintilian. And Erasmus illustrates both rhetorical techniques—the example and the *epiphonema*—with illustrations from Cicero.

Whereas the frequently recounted story of Zeuxis painting the Helen of Croton in the preface to the second book of Cicero’s *De inventione* (see chapter 14) exemplifies for Erasmus’s reader an anecdote handled expansively (CWE 24, 610), two passages from the Roman orator’s *Pro Milone* illustrate first a condensed and then an expanded example, the latter ending with one of the same Ciceronian *epiphonemata* (*Pro Milone* 9) quoted by Quintilian (CWE 24, 609).¹² Later in Book II, Erasmus returns to the *epiphonema* alongside the *sententia* as especially suitable for exemplification by comparison (CWE 24, 620, 622; ASD I-6, 244, 245). In neither of these cases does Erasmus mention Quintilian as his source. Unlike Quintilian, moreover, Erasmus considers the *epiphonema* appropriate not just for the conclusion of the comparison but also for the end of its individual sections. This consideration, as we will see shortly, serves Montaigne’s purposes well. When Erasmus returns to this figure yet a third time, he finally invokes his ancient authority (CWE 24, 629; ASD I-6, 252):

Another form of maxim (*sententiae*) is the type the Greeks call ἐπιφώνημα, Quintilian “acclamation,” that is a final triumphant remark appended either to a narrative, as in Virgil’s: “Such toil it was to found the Roman race”; or to the conclusion of an argument, as in this example from

11 On the widespread use of Quintilian, see Peter Mack, *A History of Renaissance Rhetoric 1380–1620* (Oxford, 2011), 22–23. On *De copia*, see Mack, 80–88.

12 All references to *De copia* as well as to Erasmus’ other works in English are to *The Complete Works of Erasmus*, here and hereafter CWE, (Toronto, 1974–), cited parenthetically in the text by volume and page number. For Erasmus’ works in Latin, I have used *Opera omnia Desiderii Erasmi Roterodami* (Amsterdam, 1969–), hereafter ASD and cited parenthetically in the text by volume and page number.

Cicero's *Pro Ligario*: "The pardon of these people, Caesar, is the glory of your clemency. Shall their language goad you into cruelty like their own?" Not every *epiphonema* is automatically a maxim (*sententia*), though it usually is, but anything in the closing section of an utterance (*in clausula*) which strikes on the ear as shrewd and pungent (*argute*) can be called an ἐπιφώνημα.

Following Quintilian, in other words, Erasmus considers the *epiphonema* in most cases a type of *sententia* that comes at the close of either a narrative or an argument. And like Quintilian, Erasmus considers Cicero's prose style paradigmatically *epiphonemic*.

But Erasmus also amplifies Quintilian's account by stressing the further characteristic of shrewdness or pungency. To write *epiphonemate*, he explains, is to write *argute*.¹³ This kind of writing is then further associated with the epigram, and Martial is singled out for this epigrammatic and so *epiphonemic* style (CWE 24, 629; ASD I-6, 252). So are Valerius Maximus and Seneca, who, Erasmus notes, "usually closes his *Epistles* with a summing-up remark" (*epiphonemate*) (CWE 24, 629; ASD I-6, 252). His letters, in other words, are written *epiphonemate*. To conclude his treatment of this figure, Erasmus echoes Quintilian's advice regarding overuse. "There have been people so fond of using the *epiphonema*," Erasmus warns, "that they thought they must work in such an exclamatory appendage (*clausulam acclamatoriam*) all over the place after everything they said" (CWE 24, 629; ASD I-6, 252). As with *sententiae*, he counsels, *acclamations* require moderation.

Erasmus' treatment of the *epiphonema* in the *De copia* sets this figure's course for the remainder of the Renaissance. In his widely referenced *Epitome troporum ac schematum* (1540), for instance, Johannes Susenbrotus further amplifies Erasmus' amplification of Quintilian not only by adding more examples but by complementing those Erasmus, following Quintilian, borrows from classical antiquity with illustrations from Christian authors.¹⁴ In addition, Susenbrotus both features the epigrammatic dimension of the *epiphonema*, identified by Erasmus, as we have seen, with writing *argute*, and appends this feature to a definition that is by now thoroughly traditional: *acclamatio* "is a

13 For Cicero on writing *argute*, which he often identifies with the *aculei* that render prose and poetry writing *acute*, see below, pp. 49–50; and see *Brutus* 53 and 65, *Orator* 98, *De optimo genere oratorum* 5 and *Pro Caelio* 19.

14 On Susenbrotus, and especially on his use of Erasmus, see Joseph X. Brennan, "The *Epitome Troporum ac Schematum*: The Genesis of a Renaissance Text," *Quarterly Journal of Speech*, 46 (1960), 59–71 and Mack, *A History of Renaissance Rhetoric 1380–1620*, 218–21.

climactic exclamation attached to something just narrated or demonstrated." When properly deployed, "it has much pungency."¹⁵ For Susenbrotus, then, the "prickly" quality of the *epiphonema* is especially noteworthy. It tends to be full of *aculei* or thorns, which Cicero himself associates in the *De oratore* (2. 64) with the *sententiae* of the forum in contrast to the gentle flow of history. Susenbrotus also emphasizes the effect of *epiphonemata* on the emotions and their effectiveness in closing; they are most at home in epilogues. Like Erasmus, Susenbrotus advises moderation in using this figure, warning that overuse will result in tedium and loss of credibility.¹⁶

In the *De copia*, sixteenth-century rhetoricians like Susenbrotus and writers like Montaigne would have found Erasmus' fullest but not his only discussion of the *epiphonema* or *acclamatio*. In the *De conscribendis epistolis*, his hugely successful manual on letter writing, Erasmus alerts the epistolary writer to the usefulness of this figure in heightening the solemnity or *gravitas* and thereby the emotional impact of his letters. Like the *De copia*, the *De conscribendis* identifies the *epiphonema* with a style at once *acris*—pointed or sharp, full of *aculei*, thorns—and *ardens*, impassioned (CWE 25, 93–94; ASD 1-2, 348–49).¹⁷ With his own advice about moderation in mind, moreover, Erasmus occasionally punctuates a sample letter with a closing flourish, a *clausula acclamatoria*. Writing to comfort a father who mourns the loss of his son, for instance, Erasmus follows a number of Stoically inflected illustrative examples from Greek and Roman history with an equally illustrative comparison that Montaigne will eventually recycle with his own peculiar twist: the comparison between the loss we feel at the absence of our friends and that caused by the death of our loved ones.¹⁸ Just as we are accustomed to enjoy our friends even in their absence because their souls are linked to ours through a bond of friendship that overcomes physical distance, so (Erasmus argues) we can, while awake and asleep, access our memories of the dearly departed, consoled by the prospect of actually joining them before long in the hereafter. Erasmus then rounds off this part of his consolation with an *acclamatio*: "For how

15 Joseph X. Brennan, "The *Epitome Troporum ac Schematum* of Joannes Susenbrotus: Text, Translation and Commentary," Ph.D. dissertation, University of Illinois, 1953, p. 217: *Acclamatio ἐπιφώνημα, est rei narratae aut probatae summa acclamatio. Quae si commode accinatur, multum habet aculeorum.*

16 Ibid., 101.

17 On the widespread use of Erasmus' epistolary manual, see Mack, *A History of Renaissance Rhetoric 1380–1620*, 90–96.

18 For Montaigne's use of this topic, see Kathy Eden, *The Renaissance Rediscovery of Intimacy* (Chicago, 2012), 114–17.

insignificant is the sum total of our lives." Here rhetorical summation pointedly echoes the brief sum of our days (CWE 25, 162; ASD I-2, 453).¹⁹

On many other occasions in the *De conscribendis*, Erasmus exemplifies his epistolary theory with Cicero's epistolary practice rather than with his own compositions. And some of these examples also illustrate Ciceronian *acclamatio*. Cicero's letters, in other words, are like his orations in making good use of the well-placed *epiphonema*. So Erasmus slightly revises a section of the first letter addressed to brother Quintus (*Ad Quint. fr.* 1.1.31–43), introduced to illustrate letters of encouragement and discouragement, to end with a flourish aimed at motivating Quintus to preserve the family honor despite the personal sacrifice. Erasmus' revision of Cicero's exhortation to a feckless brother reads: "At the same time bear this in mind also, that we are not working for a future hoped-for glory, but are fighting for what we have already won, a glory more to be defended in the present than it was sought after in the past." To this exhortation Erasmus then adds the closing Ciceronian flourish: "That which remains will be more glorious than difficult" (*quod reliquum est, id non tam difficile quam praeclarum*) (CWE 25, 98; ASD I-2, 354).²⁰ Indeed, Erasmus identifies Cicero with this figure not only in his works designed for the classroom, like the *De copia* and the *De conscribendis*, but also in his notoriously satiric intervention in the Ciceronian controversy, the *Ciceronianus*. There he has both his porte-parole Bulephorus claim that Cicero has given an entirely new meaning to the term *acclamatio* (CWE 28, 390; ASD I-2, 643) and the frustrated Ciceronian Nosoponus explicitly mention *epiphonemata*, alongside aphorisms, metaphors and witticisms, among the delicacies of style (*dictionis deliciae*) worthy to be included in a strictly Ciceronian index (CWE 28, 350; ASD I-2, 612).

But Cicero does not restrict this feature of his style to his orations and his letters. His philosophical writings, including those most often cited in Montaigne's *Essais*, also exploit the effects of these closing flourishes, often doing so in a

19 In his so-called *encomium matrimonii*, Erasmus similarly wraps up a section of argument with an *epiphonema* (CWE 25, 142): "If wedlock is taken away, of so many regions, provinces, kingdoms, cities, and assemblies how few will be left a century later!"

20 The Ciceronian original reads (1.1.32, trans. W. Glynn Williams [Cambridge, Mass., 1989]): "For as to one's being unselfish, curbing all one's passions, keeping one's staff in check, maintaining a consistently uniform policy in legal proceedings, conducting oneself with kindly courtesy in investigating cases and in giving audience to suitors and not shutting one's door to them,—all this is magnificent rather than difficult to do (*praeclarum magis est, quam difficile*); for it depends not upon any strenuous exertion, but upon making up one's mind, and setting one's will in a certain direction."

way designed to round off an otherwise expansive, copiously handled composition. So in the fifth and final book of the *Tusculan Disputations*, which is arguably also the most impassioned, Cicero amplifies the virtues of the *sapiens* or sage first by building up through asyndeton four clauses introduced by *nihil* (nothing) set off antithetically against two others introduced by *omnia* (everything), the first of which is itself amplified through asyndeton by four adverbs, and then by summing up the amplification with an *epiphonema* (5.81):²¹

Sapientis est enim proprium *nihil* quod poenitere possit facere, *nihil* invitum, splendide, constanter, graviter, honeste *omnia*, *nihil* ita expectare quasi certo futurum, *nihil* cum acciderit admirari, ut inopinatum ac novum accidissee videatur, *omnia* ad suum arbitrium referre, suis stare iudiciis; quod quid sit beatius mihi certe in mentem venire non potest. (italics mine)

For it is characteristic of the wise man to do *nothing* of which he can repent, *nothing* against his will, to do *everything* nobly, consistently, soberly, rightly, *not* to look forward to anything as if it were bound to come, to be astonished at *no* occurrence under the impression that its occurrence is unexpected and strange, to bring *all* things to the standard of his own judgment, to abide by his own decisions. And what can be happier than this I certainly cannot conceive.

In this case, in keeping with the definitions of both Quintilian and Erasmus, the Ciceronian *epiphonema* rounds out an argument. But Cicero, as these same rhetoricians have led us to expect, also applies the technique to more narrative moments. One such moment follows an account of the antithetical reactions of Demosthenes and Democritus among the Athenians. Whereas Demosthenes, as Cicero tells the story, gloats over the adulation of even the most modest inhabitant of the city, Democritus takes in stride *his* complete anonymity. Cicero concludes his brief, antithetical narrations of these two men with a *clausula acclamatoria* punctuated by polyptoton and paradox (5.104): "What dignified firmness for a man to glory in having no glory!" (*Constantem hominem et gravem, qui gloriatur a gloria se afuisse!*)

In the *De officiis* (11.76), Cicero deploys the same rhetorical figure on behalf of Lucius Mummius, who proved his *bona fides* in public office by presiding

21 Cicero, *Tusculan Disputations*, trans. J. E. King (Cambridge, Mass., 1927; rpt. 1996). All references are to this edition and are cited here and hereafter parenthetically in the text by book and paragraph.

over the destruction of Carthage, the wealthiest city in the world, without increasing his own or his family's wealth. "He preferred to adorn Italy rather than his own house," Cicero explains before concluding his account of this praiseworthy administrator with a flourish once again intensified by polyptoton and paradox: "And yet by the adornment of Italy his own house was, as it seems to me, still more splendidly adorned" (*quemquam Italia ornata domus ipsa mihi videtur ornatio*).²² Regardless of genre, then, Cicero strives for the well-placed closing that not only wraps up a narrative or an argument but does so by intensifying its sound and its sense.

Although Montaigne, so far as I know, never refers explicitly to the *epiphonema* or *acclamatio*, he does, I would argue, describe his writing in ways that point to, if they do not name, this Ciceronian figure.²³ In "Of presumption" (11.17), for instance, Montaigne confesses to lacking the two necessary talents of the popular preacher that could equally characterize the Ciceronian orator (Frame 483, Villey 637): telling an engaging story and fashioning a persuasive argument. In a passage added to the final edition of the *Essais*, Montaigne attributes his failures in both these realms, narrative and argument, to his propensity to jump immediately to "les dernieres choses"—the heart (as Frame translates it) or, more precisely, the *end* of the matter (Frame 483, Villey 638). This added confession then provokes reflection on the philosophical Cicero and on Montaigne's own preference for closings. "Cicero thinks that in philosophical treatises the hardest part is the exordium. If that is so," Montaigne continues the added passage, "I shall stick to the conclusion" (Frame 483, Villey 638). By his own admission, in other words, both the narrative and argumentative portions of his essays are full of endings.²⁴

Moments earlier in the same essay, moreover, Montaigne refers to two relatively obscure Epicurean writers mentioned by Varro in Cicero's *Academica* (1.ii.5), Amafanus and Rabirius. Like his own writing, Montaigne claims, their popular style of presentation rejects the logician's divisions and conclusions (11.17, Frame 483, Villey 637). In a later essay, "Of vanity," Montaigne explains his solidarity with their rejection (111.9, Frame 761, Villey 995):

22 Cicero, *De officiis*, trans. Walter Miller (Cambridge, Mass., 1913; rpt. 1975).

23 In "Of vanity" (111.9), Montaigne admits that what he cannot express, he points to with his finger (Frame 751)—a strategy he borrows from Plutarch (1.26, Frame 115).

24 In his edition of the *Essais*, Villey quotes John Locke's assessment (1685) of Montaigne's style that suggests—if it does not name—the *acclamatory* element (1221): "Montaigne, by a gentle kind of negligence, clothed in a peculiar sort of good language, persuades without reason: his Essays are a texture of strong sayings, sentences, and ends of verses, which he so puts together, that they have an extraordinary force upon men's minds."

I want the matter to make its own divisions. It shows well enough where it changes, where it concludes, where it begins, where it resumes, without my interlacing it with words, with links and seams introduced for the benefit of weak or heedless ears, and without writing glosses on myself.

By claiming to reject conclusions, then, Montaigne claims in turn to refuse any offer of assistance to “weak and heedless” readers. As we will see, however, his frequent closings do just that, whether they wrap up a section of an essay, following Erasmus’ advice, or the essay as a whole, as both Quintilian and Erasmus advise. Given that Montaigne actually wrote his essays without divisions in the form of paragraphs, a rhetorical figure designed to round off discursive movements not only could but actually did, I would suggest, come in very handy.²⁵

That Montaigne identifies his own writing as *epiphonemic* is further suggested by his attention to the pointed and even thorny quality of the writing of others. In “Of books,” (II.10, Frame 299, Villey 412), Montaigne, like Erasmus (see above, p. 44), singles Martial out for his epigrammatic style. Whereas Erasmus explicitly identifies the epigram with the *epiphonema*, however, Montaigne refers instead to the “stings with which Martial sharpens his tail” (“tous les esguillons dequoy Martial esguise la queue des siens.”)—stings that are related stylistically and etymologically to Cicero’s *aculei*.²⁶ In “On some verses of Virgil,” on the other hand, Montaigne praises the ancients for being “all epigram, not only the tail but the head, stomach, and feet” (“ils sont tout epigramme, non la queue seulement, mais la teste, l’estomac et les pieds”) (III.5, Frame 665, Villey 873). Their style is vigorous (“gros d’une vigueur naturelle”), sinewy (“nerveuse”) and solid (“solide”), in contrast to the writing of more contemporary authors, who rely on petty conceits (“menues pointes”) and on a “sharp and subtle play on words” (“aigue et subtile rencontre”) (Frame 665, Villey 873). In “Of the art of discussion,” Montaigne favors a style that “stings” rather than merely pleases because it touches us more deeply (“Ce qui poind, touche et esveille mieux que ce qui plaist.”) (III.8, Frame 703, Villey 922; cf. II.12, Frame 364, Villey 493); and he praises the style of the ancient historian

25 On the lack of paragraphing in Montaigne’s composition, see Frame, *Montaigne’s “Essais”: A Study*, 2, and John O’Brien, “Montaigne and antiquity: fancies and grotesques,” in *The Cambridge Companion to Montaigne*, ed. Ullrich Langer (Cambridge, 2005), 53–73 at 55.

26 For the etymological affiliation of French *esguillon* and *esguiser* with *aigu* see *Dictionnaire de l’ancienne langue française et de tous ses dialectes du IX^e au XV^e siècle*, ed. Frédéric Eugène Godefroy (Paris, 1881), svv and of *aigu* with Latin *aculeus*, see *Dictionnaire universel français et latin*, ed. Antoine Furetière, 6th ed. (Paris, 1771), sv.

Tacitus for these very qualities. His *History* is “plain de sentences,” full of those very *sententiae* that Quintilian and Erasmus find at the root of most if not all *epiphonemata*. While Tacitus’ arguments (“raisons”) are solid and vigorous (“solides et vigoreuses”), his “façon” or style is pointed and subtle (“pointue et subtile”), following the *stile* of his day, and especially that of Seneca, the principal stylist of his day, who is described as *aigu* (111.8, Frame 719, Villey 941).

In the writing of the ancient historian, in other words, Montaigne recognizes the apparently incompatible stylistic qualities he divides in “On some verses of Virgil” between the ancients and the moderns: an approved vigor, solidity, and sinew, on the one hand, and a more suspect subtlety, pointedness and even prickliness, on the other. These are some of the same qualities that Montaigne at once acknowledges and approves in his own style (1.26, Frame 127, Villey 171–72; 11.17, Frame 484, Villey 639). Like Tacitus, in fact, Montaigne, by his own admission, is an imitator of Seneca (11.17, Frame 484, Villey 638), whom Erasmus, as we have seen, numbers among the most notable practitioners in prose of the fundamentally Ciceronian *epiphonema*. Even Seneca’s so-called pointed style, in other words, owes something to Cicero. Without necessarily forfeiting his Senecan credentials, then, and certainly without drawing attention to his Ciceronian pedigree, Montaigne on more than a few occasions writes in a Ciceronian fashion.²⁷ With increasing commitment from its first edition in 1580 to its last edition in 1595, in fact, the *Essais* features writing *epiphonemate* as part of its signature style.

Beginning with some of his earliest compositions, Montaigne takes the advice of the best authorities when he wraps up an essay with this rhetorical figure. In one of these early essays in Book I, “That to philosophize is to learn to die,” Montaigne signals a Ciceronian theme with the opening words (1.20, Frame 58, Villey 81): “Cicero says that to philosophize is nothing else but to prepare for death (‘s’aprester à la mort’).”²⁸ In the interest of making these preparations, Montaigne offers philosophical tidbits from Lucretius, Horace, Manilius and others. These literary morsels are meant to replace the ritual forms of mourning that terrify rather than console the dying. At the end of the essay, Montaigne affirms those who overcome fear and die happily. Among them is his chambermaid. While in a later essay, as we have seen (above, p. 41), she chatters away in metaphors, in this one she escapes a terrifying death by avoiding the ceremonial preparations (“apprests”) that require an elaborate

27 For the anticiceronian identification of Montaigne’s style with Seneca rather than Cicero, see above, n. 3.

28 On the dating of this essay, see Villey, *Les Essais de Montaigne*, 81. Cf. *Tusculan Disputations* 1.75 and Plato *Phaedo* 80e2–81a2.

but unedifying *equipage*. The essay then concludes *epiphonematically* with (Frame 68, Villey 96) "Happy the death that leaves no leisure for preparing such ceremonies" ("Heureuse la mort qui oste le loisir aux apprests de tel equipage"). When in Book II Montaigne takes up the equally Ciceronian theme of glory, he once again concludes with an *epiphonema*—one he has added to the final edition of the *Essais* and intensified with paradox and repetition (II.16, Frame 478, Villey 630): "Any person of honor chooses rather to lose his honor than to lose his conscience." ("Toute personne d'honneur choisit de perdre plustost son honneur, que de perdre sa conscience").

Also in keeping with the rhetorical manuals, Montaigne's *epiphonemic* writing can be not just epigrammatic but downright thorny. Like Martial's, it often carries its sting in its tail. In "Of the power of the imagination" (I.21), for instance, Montaigne concludes his case for the potentially lethal effects of this psychological faculty with a summary flourish added to the final edition that pointedly denies what the essay has taken pains to prove. Like medicine, this essay teaches us, fiction *can* kill as well as cure. Countering in his closing his own case for the longstanding analogy between drugs and discourse, Montaigne pricks his readers with a paradoxical about-face (Frame 76, Villey 106): "There is no danger—as there is in a medicinal drug—in an old story being this way or that." Later in Book I, in "Of Democritus et Heraclitus," Montaigne deploys the same rhetorical figure in a similar way, once again adding it in the final edition to wrap up a complex argument with a complicated twist. On this occasion, he is arguing not only for the radical subjectivity of all human understanding—if we understand at all, we understand only ourselves—but also for his allegiance to a Democritean rather than an Heraclitean outlook. Like Democritus, Montaigne judges us (and himself) ridiculous rather than pitiful, worthy of laughter rather than tears. And like Cicero, Montaigne intensifies the *epiphonema* at the end of this essay with polyptoton and arguably even paradox (I.50, Frame 221, Villey 304). "Our own peculiar condition," he concludes, "is that we are as fit to be laughed at as able to laugh" ("Nostre propre et peculièr condition est autant ridicule que risible"). That we should feel stung by this summary judgment is strongly suggested by Montaigne's association of the Democritean outlook with another philosopher, the cynic Diogenes. For Diogenes is characterized moments earlier in comparison to Timon of Athens as the "sharper and more stinging judge"—"juge plus aigre et plus poingnant" (Frame 221, Villey 304).

Yet another Ciceronian theme featured in the *Essais* is the relation between the *honestum* and the *utile*. In the opening chapter of the third book, "Of the useful and the honorable" (III.1), Montaigne revisits the topic of Cicero's *De officiis*, the most popular ancient philosophical text in early modern

Europe, only to reject its brief for the fundamental compatibility of these two qualities.²⁹ On the contrary, Montaigne argues, vice also has its uses; an action is not honorable merely because it is useful. “What they could not do honorably,” he records of the Romans’ treatment of a treacherous pretender to the kingdom of Thrace, “they did expediently” (Frame 604, Villey 796). On the other hand, even the hypocritical Tiberius on occasion “gave up the useful for the honorable” (Frame 599, Villey 790), while the outstandingly honest Epaminondas himself bears witness to the limits of our commitment to *honestum*, especially in the form of the common good: sometimes it must give way to a competing claim of a private good. Montaigne then sums up his argument for the frequent incompatibility not only of these two qualities, *l’utile* and *l’honneste*, but of the two competing goods also featured in the *De officiis*, the public and the private, with that most private act: sexual intercourse. While nothing could be more *useful* to human society, Montaigne insists, there is yet the more *honorable* calling to a religious life of celibacy—a valuation pointedly confirmed by a prickly closing comparison to the breeding of horses (Frame 610, Villey 803):

Let us choose the most necessary and useful action of human society; that will be marriage. Yet the council of saints finds the contrary way more honorable, and excludes from marriage the most venerable vocation of men, as we assign to stud those horses which are of least value.

Here Montaigne has concealed his sting in the logic of his conclusion—even though he has claimed, along with Amafanius and Rabirius (see above, p. 48), to reject such conclusions. For Montaigne’s focus on “the council of saints” as the more honorable vocation leads us to expect the analogy to land on the highly venerated, abstinent race horse. Writing *epiphonemate*, however, Montaigne reverses the logic, not just leaving us to make the adjustment but aligning us through the reversal with the more useful but ultimately less honorable beast, whose only value lies in procreation.

29 Compare 11.8, Frame 279: “He who does good performs a beautiful and honorable action; he who receives performs only a useful one. Now, the useful is much less lovable than is the honorable. The honorable is stable and permanent, furnishing the man who has done it with a constant gratification. The useful easily escapes and is lost, and the memory of it is neither so fresh nor so sweet. Those things are dearest to us that have cost us most; and it is more difficult to give than to take.” For Seneca’s response to Cicero on this topic, see Ep. 66.

But the sting in the tail, as Montaigne deploys it, does not always constitute the last word—the final summation. As Erasmus recommends in *De copia*, the *epiphonema* can punctuate an internal division by wrapping up a section of discourse. Montaigne frequently uses the figure in this way. For instance, he rounds off his narrative of Canius Julius dying philosophically in his essay “Of practice” (II.6, Frame 267) with the admiring flourish, “What assurance it was, and proud courage, to want his death to serve as a lesson to him, and have leisure to think about other things in such a great business!” In “Of the art of discussion” (III.8), Montaigne similarly tops off the story of Megabyses, a wealthy admirer of Apelles’ paintings, with an *acclamatio*—only this one packs a sting. For Megabyses only managed to preserve his prestige and conceal his ignorance as long as he kept his thoughts to himself. Montaigne concludes his account of the rich man’s unmasking with a less than flattering final flourish: “To how many stupid souls in my time has a cold and taciturn mien served as a title to wisdom and capacity!” (Frame 712, Villey 932). To similar effect, Montaigne alters his account of a contemporary murder trial in the final edition of the long last essay “Of experience” by adding an *epiphonema*, intensified once again by polyptoton. In this particular case, where condemned prisoners are executed after they are found to be innocent in the interest of preserving “the forms of justice,” Montaigne wraps up his account with the stinging, “How many condemnations I have seen more criminal than the crime!” (“Combien ay-je veu de condemnations, plus crimineuses que le crime?”) (III.13, Frame 819–20, Villey 1071).³⁰ On yet another occasion, Montaigne makes a similar alteration in the final edition, not only rehearsing strange forms of crime and punishment but pushing the boundaries of writing *epiphonemate* by literalizing the sting in the tail. To amplify his proof of the agony attendant on bouts of the kidney stone, he adds a summary anecdote, told with requisite irony, about a peculiar punishment meted out by Tiberius. “Oh what a grand master in the art of torture was that good Emperor,” Montaigne concludes this section of the essay (Frame 636), “who had his criminals’ penises tied so they would die from being unable to piss!”

Used to good effect in wrapping up a narrative, this rhetorical figure serves Montaigne equally well in argument. As part of his fuller attack on natural theology in the final edition of his “Apology for Raymond Sebond” (II.12), for instance, Montaigne summarizes with a closing flourish his case not against atheism, which he takes under all circumstances to be an untenable position,

30 In *Montaigne's Deceit* (32), McGowan notes the alliteration of this line but does not consider it as an *acclamatio*.

but against the pretension to atheism. “Miserable and brainless men indeed,” he concludes the added complaint against these pretenders (Frame 325), “who try to be worse than they can be!” In the final edition of the final essay “Of experience,” Montaigne returns to this indictment of human reasoning—especially when it philosophizes to falsify instead of fortify nature. For nature has provided us, he insists, with a wisdom “not so ingenious, robust, and pompous as that of [the philosophers’] invention, but correspondingly easy and salutary” (Frame 822, Villey 1073). To round off this added argument, Montaigne reaches for an *epiphonema* (Frame 822, Villey 1073): “Oh, what a sweet and soft and healthy pillow is ignorance and incuriosity, to rest a well-made head!”

In the passage just prior to this addition, Montaigne had been making his famous claim to furnish his own physics and metaphysics (Frame 821, Villey 1072). The passage immediately following this addition, rounded off, as we have seen, with an *epiphonema*, resumes the essay’s previous train of thought. “I would rather be an authority on myself,” Montaigne reflects, “than on Plato” (Frame 822, Villey 1073). Sometime before the final edition, however, Montaigne rewrites this line to read, “I would rather be an authority on myself than on Cicero.”³¹ What was at stake for Montaigne in the rewriting that replaces Plato with Cicero (see chapter 12)—and whether it was the *epiphonema* or *acclamatio* preceding it that suggested the Roman as a replacement for the Greek philosopher—we will never know for sure.³² What we do know is that Montaigne first conceived the line to feature an author for whom he had the highest regard. What we also know is that Montaigne, having been schooled (like other young gentlemen of his time and place) in the works of Cicero, revised his view of *le pere de l’eloquence Romaine* (II.10, 299, 411) while

31 I quote parts of the passage to clarify the important revision, including Frame’s indication of the different strata of text (Frame 821–22): “[B] I study myself more than any other subject. That is my metaphysics, that is my physics. . . . [C]As [Nature] has furnished us with feet to walk with, so she has given us wisdom to guide us in life: a wisdom not so ingenious, robust, and pompous as that of [the philosophers’] invention, but correspondingly easy and salutary, performing very well what the other talks about, in a man who has the good fortune to know how to occupy himself simply and in an orderly way, that is to say naturally. The more simply we trust to Nature, the more wisely we trust to her. Oh, what a sweet and soft and healthy pillow is ignorance and incuriosity, to rest a well-made head! [B] I would rather be an authority on myself than on Plato [C: Cicero].”

32 For a reading of Cicero as both the student and the rival of Plato (*aemulus Platonis*) that is particularly suggestive for the substitution of names in this passage, see William H. F. Altman, “Cicero as Plato’s Rival” in “*Platonis aemulus*: Studies in the Late Philosophy of Cicero.”

rereading his philosophical works after 1588.³³ The effects of this revised view, as Villey and others have shown, are apparent everywhere in the final edition of the *Essais*. What I have tried to show is that these effects extend even to the signature style of the world's first essayist, whose acclaim depends in some measure not only on Ciceronian philosophy but on a Ciceronian rhetorical figure.

33 On Cicero's place in the rhetorical curricula of sixteenth-century Europe, see T. W. Baldwin, *William Shakspeare's Small Latine & Lesse Greeke*, 2 vols. (Urbana, 1944), esp. II, 1–137 and Joseph S. Freedman, "Cicero in Sixteenth- and Seventeenth-Century Rhetoric Instruction," *Rhetorica*, 4 (1986), 227–54.

Lactantius as Christian Cicero, Cicero as Shadow-like Instructor

Gábor Kendeffy¹

It was with regard to the excellence of his style that Pico della Mirandola,² developing the evaluation of Jerome,³ labelled Lactantius *Cicero Christianus*. To confess the truth, as someone interested primarily in the theological thought of this author, I have always regarded this label as to some extent derogatory. With regard to the doctrinal content, to be sure, the oeuvre of Lactantius has some important common traits with Cicero's philosophical

- 1 The most extended both doctrinal and (to a greater extent) philological treatment of the question can be found in J. Bryce, *The Library of Lactantius*, New York-London 1990. Further highly useful works are as R. Pichon, *Lactance, Lactance: étude sur le mouvement philosophique et religieux sous le règne de Constantin*. Paris 1901, 246–266; Chr. Ingreneau, “Lactance et la justice dans le livre v des Institutions Divines” in *Regards sur le monde antique. Hommages à Guy Sabbah. Textes recueillis par Madeleine Piot*. Lyon, Presses Universitaires de Lyon, 2002, 154–162; *eadem*, “Lactance et la justice” in: Jean-Yves Guillaumin et Stéphane Ratti (éd.), *Autour de Lactance. Hommages à Pierre Monat*. Besançon-Paris 2003, pp. 43–52. B. Colot, “Humanitas et ses synonymes chez Lactance,” in: C. Moussy (ed.), *Les problèmes de la synonymie en Latin*. Paris, 1992; *eadem*, “*Pietas*, argument et expression d’un nouveau lien socio-religieux dans le christianisme romain de Lactance,” in M. F. Wiles and E. J. Yarnold (edd.), *Studia Patristica*, 1999, Vol. 34. Leuven, 2001. pp. 23–32; and especially *eadem*, *Lactance: Penser la conversion de Rome au temps de Constantin*, Florence (Olschki), 2014 (in process of publication). This book is based on the habilitation dissertation of the author, which I had the opportunity to study as member of the jury of the habilitation (September 2013, University of Lille III). Hereby I wish to express my sincere thanks to her for having agreed to my use of her unpublished text. (In the following I will refer to the book as *Lactance: Penser la conversion de Rome* . . . 2014, to the dissertation as “Penser la conversion de Rome . . . 2013). Dense and informative surveys for Lactantius’ use of Cicero are: Th. Zielinski in his *Cicero im Wandel der Jahrhunderte* (Leipzig, 1912/2nd ed.) 120–131; S. MacCormack, “Cicero in late antiquity, in *Cambridge Companion to Cicero*, Cambridge 2013, 258–263. Less instructive is B. Weil, *2000 Jahre Cicero*, Zürich 1962.
- 2 Pico, “De studio divinae atque humanae philosophiae 7: Quis apud nos non videat esse Ciceronem sed Christianum, hoc est, aliquem qui eum ad lineam unguemque expresserit? Quis enim non advertit, Lactantium Firmianum aequasse ipsum et forte praecelluisse in eloquendo?”
- 3 Jerome, *Epistulae* 58.10: “Lactantius quasi quidam fluvius eloquentiae Tullianae, utinam tam nostra affirmare potuisset, quam facile aliena destruxit.”

writings, but to my mind the apologist's chief theoretical merits reside in a doctrine of divine providence that is far distant from the thought of Cicero's philosophical dialogues.⁴ Nevertheless, in this essay I will claim that in a certain sense one can consider Lactantius as the Christian Cicero and that in this sense, the apologist deliberately prepared the label for himself.⁵ The first section is devoted to showing how important a role the father of Roman eloquence played in Lactantius' self-reflection and how the latter emphasizes his dissent from Cicero, by correcting, debating with, and emulating him. The second will deal with Lactantius' controversy with Cicero about the value of philosophy as praised in Cicero's *Tusculans* and *On Duties*, and critiqued in *Divine Institutes* book 3. In the third, I will show how Lactantius implicates Cicero's *De Republica* while addressing the question of why justice has the semblance of foolishness in the *Divine Institutes*, and, in this context, the fourth, will examine more specifically "the two ways," the pagan way of wisdom (*via sapientiae*) and that of Christian foolishness (*via stultitiae*). Throughout, my intention is—by speaking about the appropriation of a rhetor by a rhetor—to follow the process of persuasion, and thus to find the place of Cicero in it.⁶

1 Cicero's Place in Lactantius' Self-Reflection as an Apologist

As early as in the *De opificio Dei*, a crypto-Christian treatise written in 303/4, the Ciceronian inspiration is obvious. Here the apologist not only took a huge part of the doxographical matériel from the *De natura deorum*,⁷ but drew, by his own account, the idea of proving the divine providence from the teleological functioning of both the body and the soul predominantly from the same dialogue. What is more, he considers himself as accomplishing *boldly* (*audaciter*) the project that the great precursor left uncompleted.⁸ The most

4 See e.g., "Metaphorical Approach in Lactantius' Theology and Cosmology" *Studia Patristica* vol. XLII. (ed. F. Young, M. Edwards, P. Parvis), Peeters, Leuven-Paris-Dudley MA, 2006, 391–397. "Remarks on Lactantius' Dualistic system" (accepted for publication in *Rivista di Storia e Letteratura Religiosa*, 51, 2016), 3.

5 Some of my new considerations have been inspired by Blandine Colot's habilitation dissertation.

6 To do this, I was inspired in a large measure by the above mentioned habilitation dissertation of B. Colot: "Penser la conversion de Rome," 2013.

7 Especially for chapters 7–15. See Perrin 1974, 42–4; 295–377. Lactance, *L'ouvrage de Dieu Créateur*, tom I–II. Introduction, texte critique, traduction et notes par M. Perrin, Sources Chrétiennes 204–205, Paris 1974. Cf. J. Bryce, *The Library of Lactantius*, 107–121.

8 In the preface (*opif.* 1.12–14.) Lactantius complains that Cicero, "this man of exceptional talent", treated this topic just summarily and superficially not only in the book 4 of the

perfect expression of this purpose is, however, Lactantius' *Divine Institutes*, and this text will be my primary concern. Here, Lactantius' intends to instruct in a systematic way (*instituire*) his reader on Christianity as both a doctrine and a way of life and to convert him to it.⁹ According to the scholarly consensus, the audience the apologist addresses includes learned pagans, also those who are now Christians of shaky faith.¹⁰ Indeed, even if in the preface of the book 1, that is, of the entire work, he declares his intention to "direct the learned [*docti*] toward true wisdom and the ignorant [*indocti*] toward true religion,"¹¹ as we shall soon see, the method chosen by him suggests that persuading really unlearned people could not be the direct aim of the author. The term *indocti* in this declaration could not refer to uneducated people, but rather to those—as a self-reflexive passage reveals—who are not expert in philosophy.¹² As Cicero is more represented among the *testimonia humana* in the *Institutes* than any other writer, and often in strategic points of discourse, he seems to have a crucial role in the process of persuasion.¹³ Besides, as we shall see, he serves not only as a support, but often also as a butt of criticism. In any case, Lactantius has a kind of intimate, though tense relationship with the father of Roman eloquence, whom he qualifies not only as an excellent orator but also as a "perfect philosopher."¹⁴

In the preface of the *Divine Institutes* he explains his audacity in undertaking such an enterprise by comparing his own turn from teaching rhetoric to teaching Christianity, to the conversion of certain pagan orators to philosophy after their forensic career. Lactantius contrasts the trouble (*negotium*), which they

De re publica (Book 4, frg. 26. Powell) and in the *De legibus* (1.27), but also in the *De natura deorum* (2.134–168.).

9 *Inst.* 1.1, 8.: "ad cultum verae maiestatis instituire."

10 *Inst.* 5.1, 9.; 5.1, 13–16; 5.4, 8. Cf. R. Pichon, *Lactance: Etude sur le mouvement philosophique et religieux sous le règne de Constantin*. Paris, 1901, 7.; A. Wlosok, *Laktanz und die philosophische Gnosis; Untersuchungen zu Geschichte und Terminologie der gnostischen Erlösungsvorstellung*, Abhandlungen der Heidelberger Akademie der Wissenschaften. Philosophisch-Historische Klasse. Jahrg. 1960, 2. Abhandlung. Heidelberg, 1960. 5.

11 *Inst.* 1.1, 7. Except where noted, all translations are from A. Bowen and P. Gramsey (trans. and eds.), Lactantius, *Divine Institutes*, with an introduction and notes by A. B. and P. G., Liverpool 2003.

12 *Inst.* 2.19, 2–4.

13 For this kind of comparison see especially J. Bryce, *The Library of Lactantius*, 28–106; 154–222. The use of Cicero in the book 3 is excellently treated by B. Faes de Mottoni ("Lattanzio e gli Academici" in *Mélanges de l'École Française de Rome. Antiquité*, t. 94, 335–377) and O. Gigon, "Lactantius und die Philosophie" in A. M. Ritter (ed.), *Kerygma und Logos: Beiträge zu den geistesgeschichtlichen Beziehungen zwischen Antike und Christentum: Festschrift für Carl Andresen zum 70. Geburtstag*. Göttingen: Vandenhoeck-Ruprecht, 1979, 196–213.

14 *Inst.* 1.5, 16; 1.17, 3; 3.14, 7. To this point see Pichon, *Lactance*, 247f.

reached, instead of peace of mind (*otium*) and relief (*requies*), to the safety of the true wisdom he himself has attained:

Some of the greatest orators, veterans of their art, have emerged from their life's work of pleading to turn in the end to philosophy, convinced it was the truest relief from toil that they could have: if torment of mind was all they got in searching for what could not be found (as if the aim of their search was not so much peace of mind as trouble, and a much more irksome trouble than they were in to start with), then I shall be all the more right to aim for that haven of total sureness which is wisdom, the wisdom that is pious, true and of God, in which everything is readily uttered, sweet to hear, easy to grasp and honourable to do.¹⁵

Here one can easily recognise Cicero, converted after a forensic career to the *otium* of philosophy,¹⁶ and elements of this allusion can be found in the *prooemium* of the *Tusculans*¹⁷ and *On Duties* 2.¹⁸ Characteristically, Lactantius draws a parallel between himself and Cicero and, at the same time, by contrasting the vain troubles of philosophical investigations with the real relief given by wisdom—that is, the Christian way of life and thinking—he affirms the superiority of his own conversion to that of his pagan precursor.

Pursuing his account of the reasons for undertaking this enterprise, Lactantius compares his *Institutes* dealing with the questions of salvation with the *Institutes* of Civil Law, the latter related to various insignificant odds and ends.

And if certain people who are professional experts in fairness have published *Institutes* of Civil Law for the settlement of lawsuits and quarrels between citizens in dispute then we shall be all the more right to publish the *Institutes* of God, in which we shall not be discussing gutters or water-theft or common affray, but hope and life, salvation and immortality, and God, for the eternal settlement of superstition and error, which are foul and lethal.¹⁹

15 *Inst.* 1.1, 11.

16 See A. Bowen and P. Gramsey's comment in *Divine Institutes*, 58.

17 *Tusc. disp.* 1.1.

18 *Off.* 2.1–2.

19 *Inst.* 1.1, 12. For this parallel see Lactantius, *Divine Institutes* (translation and notes by A. Bowen and P. Gramsey), Liverpool 2003, p. 59. n. 3. and B. Colot, *Lactance: penser la conversion de Rome . . .* 2014, chapter IV, n. 40.

Here both the idea and the wording remind the reader of the sentence by which Cicero declines Atticus' request to treat civil law in *De Legibus*:

So to what do you call me, or what are you urging on me? That I produce pamphlets on the law about rainwater falling from the eaves of houses and [the law] about walls of houses? Or that I compose formulas for covenants and judicial decisions? Those things have been attentively written by many men, and they are lower than what I think is expected of me.²⁰

Through this allusion Lactantius presented himself as a Christian Cicero, not in the matter of rhetoric, but with regard to some important issues of philosophy of law. And if we continue reading Cicero's text, we learn what questions the character named "Cicero" in the dialogue prefers to treat:

For recognize that in no subject of argument are more honorable things brought into the open: what nature has granted to a human being, how many of the best things the human mind encompasses, what service we have been born for and brought into light to perform and accomplish, what is the connection among human beings, and what natural fellowship there is among them. When these things have been explained, the source of laws and right can be discovered.²¹

These issues, even if they are not the same as those mentioned above by Lactantius, are nevertheless central topics in the *Divine Institutes*, especially in books 3 (the destiny of man) 5 and 6 (the religion as the precondition of inter-human virtues, the definition of virtue). It is in the elaboration of these questions that Lactantius owes the most to Cicero.²²

In book 2, he complains that Cicero, "even though saying much of value for the overthrow of cults," claimed that this topic ought "not be argued in public" and therefore permitted pagans to remaining in error.²³ He even addresses him in the second person and casts reproaches upon him for having used his oratorical skills for wrong cases and not to convince pagans of the erroneous-

²⁰ *Leg.* 1.14.

²¹ *Leg.* 1.16.

²² J. Bryce, *The Library of Lactantius*, 22: "The two men are kindred spirits . . . in regarding moral philosophy as the crowning achievement of speculation". Pichon (*Lactantius*, 249–50) highlights the question of divine providence as a common concern of the two thinkers. B. Colot identifies an approach original to Lactantius as philosopher of law in her forthcoming book *Lactance: penser la conversion de Rome*, 2014, chs. 2–3.

²³ *Inst.* 2.3, 2.

ness of their beliefs of which he was quite aware. He thus calls his excellent colleague to account for not having undertaken the work that he himself is doing:

If there is any virtue in you, Cicero, why not try to make the people understand too? It is a task worth all your powers of eloquence: no need to fear that speech may fail you when the cause is so good; you have often enough taken on bad causes with fluency and courage even your *Philippics* could not have brought you more glory than sorting out the error of the human race and recalling the minds of men to health with argument of yours.²⁴

By explaining this attitude with the fear of punishment, he contrasts Cicero with Socrates whom the death penalty did not deter from professing the truth. This contrast is not an isolated case, for in book 5, Socrates figures as the person who tries to cast out cults of gods and through whom became “clear even then what would happen to people who started to defend true justice and to serve the one God.”²⁵ It is also worth noting that in book 5, the apologist presents himself in the role the character called “Socrates” plays in the *Apology*, that is, the role of someone arguing with the weapons of the dialectic (concerning justice) against the position of those using the weapons of violence and threatening him with death penalty.²⁶ Cicero is thus contrasted here not only with Socrates, but the Christian martyrs and Lactantius the apologist as well. But by the same token Lactantius can present himself as parallel with Socrates and as a corrected, Christian version of Cicero. As to the function of this criticism of the great predecessor, B. Colot claims pertinently concerning this passage and its context that the apologist uses the figure of Cicero as a kind of substitute by the intermediary of whom he blames his cultivated pagan reader and urge him to change his religious stance.²⁷ I would add that this strategy might be focused on the other group of the addressees as well, the Christians of shaky faith, coming from the same circle.

Our author does not hold the pagan thinker responsible for having failed to discover that there is a true religion, for he, like all his predecessors, did not receive the Revelation. To describe the common deficiency of all pagan philosophers, Lactantius quotes Cicero’s self-critical declaration as a confession in the name of all of them: “If only I could discover the truth as easily as

²⁴ *Inst.* 2.3, 4–6.

²⁵ *Inst.* 5.14, 14.

²⁶ Especially in *Inst.* 5.19, 11–34.

²⁷ See B. Colot, “Penser la conversion de Rome . . .” 2013, 138.

I can expose falsehood.”²⁸ The task of expounding the truth is left to Lactantius himself, and he will complete it in book 4–7.²⁹ He assigns to the preceding books the objective of refuting pagan religion and philosophy, a purpose that he considered as approximately fulfilled by Cicero’s dialogues.³⁰ To sum up this section, then, Lactantius—besides using Cicero as an authority or even an advocate in front of his pagan readers—not only presents him as his own pagan counterpart, but also as a rival, and since his readers also knew Cicero, he can do both of these things at once. Moreover, Cicero is present in both roles all through in the *Institutes*, and we will witness the apologist’s emulative relationship with Cicero in relation to all the great issues.

2 Philosophy Appraised

In book 3, after the detailed argumentation against the disciplines of philosophy (especially natural philosophy and ethics), Lactantius devotes some four chapters to attacking philosophy *en bloc*, by contesting the laudatory labels attached to by Roman authors, especially Cicero and Seneca (e.g., *ars virtutis*,³¹ *vitae dux*,³² *magistra morum*,³³ *parens vitae*,³⁴ *veritatis indagatrix*).³⁵ He responds by his blame (*vituperatio*) for their praise of philosophy (*laudatio*) with regard to all these characterisations. By doing this, he accomplishes a rhetorical *tour de force*, given that appraisal and blaming are the two kinds of the demonstrative speech (*genus dicendi demonstrativum*).³⁶ However, the blaming speech here is inserted into a forensic situation, where philosophy is the accused, and Cicero—and, to a smaller extent, Seneca—are the advocates, whereas the character named “I”—let us say: the *discursive self*—plays the role of the accuser.

Of these characterisations the importance of the *vitae dux* and the *magistra morum*³⁷ lies in the fact that later in the *Institutiones* both of them will gain a Christological connotation. In book 4 we find the following expressions

²⁸ *Inst.* 2.3, 24; Cicero, *De natura deorum* 1.91. Cf. *Inst.* 1.17, 4; *De ira* 11, 10.

²⁹ *Inst.* 2.3, 24.

³⁰ Cf. *Inst.* 2.19, 1–6.; *Inst.* 1.23, 6–9.

³¹ *Inst.* 3.13, 13. Cf. Cicero, *Off.* 2.5.

³² *Inst.* 3.13, 15. Cf. Cicero, *Tusc.* 5, 10.

³³ *Inst.* 3.14, *Tusc.* 5.11–13.

³⁴ *Inst.* 3.14.8–11. Cf. Cicero, *Tusc.* 1.64.

³⁵ Zielinsky in his *Cicero im Wandel der Jahrhunderte* emphasizes this dispute.

³⁶ See Cicero, *De oratore* 1.141.; *Brutus* 47.; *De partitione orationis* 69f.

³⁷ Cf. Cicero, *Tusc.* 5.10.

describing the activity of the incarnate Christ: *magister* (21, 2.), *magister virtutis* (26, 25), *magister iustitiae*, (24, 19), *magister doctrinae Dei et coelestis arcani ad hominem proferendi* (8, 8.) *doctor* (24, 1; 26, 26.), *doctor perfectus* (24.7); *doctor virtutis* (11, 14; 24.15),³⁸ *dux* (24, 17, 25, 7; 26, 28) *vitae dux* (24, 19.), *dux salutis* (29, 15.). As I endeavoured to point out in another publication,³⁹ the Incarnate Son as guide to immortality in the book 4 can be identified with the guide on the way to Heaven in the book 6.⁴⁰ From this it follows first that Lactantius uses the criticised passages of Cicero to prepare the opposition between the pretended pedagogical and moral role of philosophy and the actual pedagogical, moral and redemptive activity of the Incarnate Son. And secondly, by the critical discussion of the Ciceronian characterisation of philosophy, he surreptitiously introduces some Christological themes that will be treated openly in a later stage of the apologetic process.

As to the label of *ars vitae*, the apologist, after quoting Cicero's praise for philosophy in *De Officiis* 2.5, undertakes an oratorical duel, responding nearly sentence by sentence to his pagan counterpart. He begins this contest, inserted in the fictive situation of Cicero's temporary resurrection (*paulisper ab inferis surgere*), by confessing that even though having acquired some "skill in speaking because of his career in teaching," he is—in contrast to Cicero—not "eloquent."⁴¹ Nevertheless he claims to be confident that "a knowledge of things divine, the truth itself and the excellence of the case [*bonitas causae*]" will make him capable to defend this case (*causam*) eloquently (*diserte*) and with an abundance of rhetorical devices (*copiose*).⁴² In harsh contrast to the modesty in relation to his oratorical abilities—note that he ostentatiously makes no claim to be the Christian version of Cicero in this respect—he assigns to the character of his own speech the word *docere*, so that the situation of a lawsuit mixes with that of a course where the master is Lactantius, not Cicero. The apologist blames the orator for disguising his categorical statements as manipulative questions that coerce the listener to give the intended answer. In response, he unmasks these statements and offers in each case an alternative answer with the slightest possible modification of the original sentences.⁴³

38 Cf. 4.16, 4.

39 See G. Kendeffy, "Remarks on Lactantius' Dualistic system".

40 *Inst.* 6.3, 14.

41 *Inst.* 3.13, 13.

42 *Inst.* 3.13, 12. Cf. *Opif.* 20.5, affirming that in the past Christians without both doctrine and rhetorical skill have often overcome Cicero's argumentation.

43 See some meaningful points raised concerning this passage by J. Bryce in *The Library of Lactantius* 44–45.

	Cicero, <i>Off.</i> 2.5.	Lactantius, <i>Inst.</i> 3.13, 13.
1	I really don't understand what someone who reviles the pursuit can think worth praising in it at all.	First, I would <i>tell</i> him what a man who reviles the pursuit called philosophy would think worth praise at all.
2	If the aim is refreshment of the mind and respite from anxieties, what can be compared with the pursuits of people who are always looking for something powerfully focussed on a life of bliss?)	
3	<i>Sive ratio constantiae virtutisque ducitur, aut haec ars est, aut nulla omnino, per quam eas assequamur.</i> (If note is taken of persistence and virtue, then either this is the system by which we can attain them or there is no system at all.)	<i>(doceretur) neque illam esse artem, qua virtus et iustitia discatur, nec aliam ullam, sicut putavit.</i> (second, I should tell him that philosophy is not the skill by which virtue and justice get learnt, as he thought it was, nor is it any other kind of skill)
4	<i>Nullam dicere maximarum rerum artem esse, cum minimarum sine arte nulla sit, hominum est parum considerate loquentium atque in maximis rebus errantium. Si autem est aliqua disciplina virtutis, ubi ea quaeretur, cum ab isto genere discendi discesseris?</i> To say that there is no system where matters of the utmost importance are concerned when there is no unimportant matter without its system is the language of people speaking without proper reflection, people much astray on matters of the utmost importance. If any training in virtue exists, where shall it be sought when you withdraw from that sort of learning?	<i>(doceretur) quoniam est virtutis disciplina, ubi quaerenda sit, cum ab illo discendi genere discesseris.</i> (Finally, since a training in virtue does exist, I should ask him where to look for it once you move away from that sort of learning)

In the case of the first sentence, in response to the categorical negation (“there is no such kind of study at all”) that Cicero disguised as perplexity, Lactantius supplies a clear-cut affirmation (“there is”). The question in the second does not receive answer here, but the apologist had already responded to it in the preface by saying that philosophy, unable to find the truth, can never give real relief and peace of mind. As to the third sentence, being not a question but a disjunctive proposition, the discursive self agrees with the disjunction itself (*sicut putavit*) but accepts the second of the two clauses (“there is no method at all”) as true and not the first (“this is the method”). The rhetorical force of the response to the fourth sentence lies in two facts: first, here the replacement of only two words (*si autem—quoniam*) inverts the sense of the proposition; secondly, the re-used second-person of *discesseris*, even though being primarily an impersonal construction, in the context of the fictional discussion inclines the reader to take it as referring to the person addressed, and that is Cicero. This means that the discursive self, put in this fictional situation, has the ambition to turn the father of the Roman eloquence away from pagan religion and convert him to Christianity. And, as we shall see, another fictive duel with the fictional aim of converting Cicero occurs in book six, in relation to the topic of justice.⁴⁴

From the responses it is also clear that, contrary to what Cicero took for granted, Lactantius thinks that there is no skill (*ars*) in the matter of virtue, but, on the other hand, that there *is* a training in the discipline of virtue. The reason for this distinction may reside in the Stoic and Ciceronian understanding of the term *ars* (*technē*). Stoics defined it as “a system composed of co-exercised apprehensions”⁴⁵ and divided it into practical and theoretical skills. Moreover, they described wisdom sometimes as the skill of life (*technē periton bion*)⁴⁶ and the skill of virtue (*ars vitae*).⁴⁷ In this sense, the difference between skill (*ars, technē*) and knowledge (*scientia, epistēmē*)—defined as a whole of cognitions (*katalēpseis*) which are secure, firm and unchangeable by reason⁴⁸—seems to fade. Lactantius may have been averse to this dogmatic notion of *ars* as a system based on theoretical knowledge, and which also had a strong connection with natural philosophy, a field he judged to be unfruitful.⁴⁹

44 *Inst.* 6.11, 12–19.

45 See, e.g., Sextus Empiricus, *Pyrrhoneiai Hypotyposesis* 3.188; cf. Cicero, *Academica*, 2.22 and *De oratore* 1.10.

46 *Ibidem*.

47 Cicero, *Academica*, 2.23.

48 See Sextus Empiricus, *Adversus Mathematicos*, 7.151.

49 *Inst.* 3.3.

To his mind, the term *disciplina* (*training* seems to me an apt translation), implying obedience to the master and permitting a life-long process that never leads to a perfect knowledge, was better suited to describe the learning which takes place in the Christian Church.

In the case of the appellation *parens vitae*, Lactantius also proceeds from Cicero's theoretical anticipation of someone who would blame (*vituperare*) philosophy, again in second person and again in the guise of a fictive duel.⁵⁰ After quoting Cicero, who threatens the possible opponent with sewing him up in a sack as a parricide, the apologist declares himself ready to suffer the punishment, which serves here as an anticipation of the persecution that menaced Lactantius and his fellow Christians. In these fictive duels, the Christian apologist not only criticises but also emulates Cicero with regard both to the content of their teaching and to their rhetorical skill.⁵¹ As I tried to illustrate in the case of the characterisation of philosophy as *ars virtutis*, the apologist does his best to prove that in this respect, it is the force of Christian truth that has really elevated him to a level by no means inferior to that of the father of Roman eloquence.

3 Justice as Folly?

Despite the title of the book 3 ("On True Justice"), Lactantius' doctrine of justice is only to be found in book 5 and 6 when read together.⁵² First I will sketch the line of reasoning in the doctrinally important part of the book 5. This part begins by a historical and allusive treatment of the topic of justice: the apologist expounds the story of the justice in terms of the myth of world ages, interpreting this myth implicitly as the poetical, figurative expression of the biblical narrative.⁵³ This historical account leads to the characterisation

⁵⁰ *Inst.* 3.14. 8–11; cf. Cicero, *Tusc.* 1.64.

⁵¹ In the case of the appellation *parens vitae*, Lactantius also proceeds from Cicero's rhetorical hypothesis about someone who would blame (*vituperare*) philosophy (*Inst.* 3.14. 8–11; cf. Cicero, *Tusc.* 1.64.).

⁵² See See B. Colot, "*Pietas*, argument...", *art. cit.* above, p. 27 sq. (a "dyptique"), *eadem*, "Penser la conversion de Rome..." 2013, 142. Chr. Ingreneau, "Lactance et la justice," 2003, 43.

⁵³ *Inst.* 5.7, 1–5 and 8, 11. He divides human history until his own age into three periods: 1) the Golden age of justice on the earth, when God was acknowledged and worshipped, 2) the age after mankind turned away from God and Justice left, and 3) the age, after the Incarnation, when it has been restored to earth, though few have been given it. To depict

of pagan attitudes toward Christians in Lactantius' time. To the apologist, the persecution was fuelled by the repressed sense of guilt and the half-conscious feeling that the truth is on the Christians' side.⁵⁴ Consciously, the pagans, being impious,⁵⁵ regard themselves as just and wise.⁵⁶ On the one hand, they treat Christians as unjust criminals,⁵⁷ and on the other hand, take them to be foolish, for they face torture and death for refusing to sacrifice to the pagan gods.⁵⁸ Interestingly, immediately after reporting this assumption of the pagans, the apologist devotes only one chapter to arguing against it explicitly.⁵⁹ Then two major questions arises in more general terms, sometimes merging into each other: (1) why the just seem to be foolish (to the pagans)⁶⁰ and (2) why justice has *necessarily* the semblance of folly, or, theologically speaking: why God wanted justice to have this semblance.⁶¹

In order to answer (1), Lactantius thinks it is first necessary to support (2): justice has not *without cause*, but *of its own nature* a certain semblance of foolishness.⁶² Even though claiming to have at his disposition *divina testimonia* as well,⁶³ for apologetic reasons, he supports this claim by having recourse to a *humanum testimonium*, the discourse of Philus in the book 3 of Cicero's *De re publica*, based on the second speech of Carneades held in Rome in

this age, the apologist invokes *De Legibus* Frg. 2. It appears to me that for the question of how Lactantius could see the mythological and the biblical history in harmony, after the endeavours of some scholars as L. J. Swift ("Lactantius and the Golden Age", *American Journal of Philology* 89 (1968), 144–56), A. L. Fisher ("Lactantius' Ideas Relating Christian Truth and Christian Society." *Journal of the History of Ideas* 43 (1982), 355–77, esp. 372ff.) B. Colot gave the most assuring response ("Penser la conversion de Rome," 238–78.)

54 *Inst.* 5.9, 1; *Inst.* 5.9, 6–9. Cf. 5.1, 3–8.

55 *Inst.* 5.9, 13–17; 5.10, 1–9; 11.1–19.

56 *Inst.* 5.12, 1.

57 *Inst.* 5.12, 2.

58 *Inst.* 5.12, 3–13.

59 *Inst.* 5, 14. The arguments are the following: the perseverance of the martyrs has an attractive force (14, 2; 14, 5); The number of the conversion is increasing across the empire in widely different places, among both men and women, in every sociological stratum and generation (14, 3–4); the coerced apostasies are short-lived and repentance after yielding to the coercion consolidates the perseverance (14, 6–7); the martyrs enduring tortures represents on the highest level the traditional Roman virtues (*patientia, constantia, gravitas*), attested in classical literature among others by Horace and Seneca (14, 13–20).

60 *Inst.* 5.14, 1; 5.17, 2.

61 *Inst.* 5.17, 2.

62 *Inst.* 5.14.2.

63 Especially 1 Cor 1.20–22 (see below).

155 B.C. The summary of Philus'/Carneades' arguments⁶⁴ is separated from the historical and philological introduction of the controversy⁶⁵ by a digression in which the apologist explains Laelius' and all pagan philosophers failure to repel Carneades' attack by describing briefly the two main components of the true justice which they did not know, a topic to be developed in book 6.⁶⁶ The answer of to (1) is interrupted by two more digressions: in the first Lactantius assumes the role of Laelius, who proves to be weak defender of justice, and then brings forth his own arguments against Philus/Carneades.⁶⁷ It is highly significant that the apologist decides to intervene in the controversy taking place in the book 3 of the *De re publica*, and takes over the role of Laelius, whom he considers to have failed to defend the justice: this allows him to pose once again as the Christian Cicero. In the second digression he gives the reason why he, as a Christian, has an easier job to defend justice than Laelius or even Plato and Aristotle.⁶⁸ Then he finally turns to (1)⁶⁹ and examines (2) separately.⁷⁰ As it is clear from this sketch, Lactantius' real aim in this book is neither to define what true justice is, nor really to refute the claim that justice is foolishness. He intends primarily to give the reason why justice has this semblance, and thereby to say something fundamental about divine providence.

The main points of the summary Lactantius gives of the arguments of the speech of Philus in favour of the proposition that "either there is no justice, or, if there is any, it is the height of folly",⁷¹ are the following: (a) concepts of justice and laws (*iura*) differ in terms of space and time; (b) the source of laws and concepts of justice stems from interest and usefulness (*utilitas*);⁷² (c) the prosperity of the empires is based on unjust deeds;⁷³ (d) in the life of individuals, both minor examples (e.g., a just man, when selling something, reveals the shortcoming of his merchandise) and more serious ones when survival is at stake (in a desperate situation a just man does not save his life at the expense of the life of another person) show that being just is foolish.⁷⁴ Of the several

64 *Inst.* 5.16, 3–13.

65 *Inst.* 5.14, 3–6.

66 *Inst.* 5.14, 6–15, 11.

67 *Inst.* 17.8–34.

68 *Inst.* 5.17, 3–8.

69 *Inst.* 5.18, 1–10.

70 *Inst.* 5.18, 11.

71 *Ibidem.*

72 *Inst.* 5.16, 3. Cf. Cicero, *De re publica* 3.11–12. I quote this work according to this edition: J. G. F. Powell (ed.), M. Tulli Ciceronis *De re publica*, *De legibus*, *Cato Maior De senectute*, *Laelius De amicitia*. Oxford: Oxford University Press, 2006.

73 *Inst.* 5.16, 4: Cf. Cicero, *De re publica* 3.18.

74 *Inst.* 5.16, 5–8. Quoted Cicero, *De re publ.* 3.15–16.

arguments of Lactantius against this argumentation, the most important and the only one that requires from the reader to some extent the appropriation of the Christian doctrine, resides in the claim that virtue will get eternal recompense in the afterlife. To the mind of Lactantius, Carneades shared the approach of their opponents that one cannot and should not expect any recompense for his virtue from outside and considered that virtue is to be sought out for its own sake, even if he denied that this reward is sufficient.⁷⁵

As to the question why Christians seem to be foolish (1), the reason lies in the assumption of the pagans that life ends with the physical death and that any recompense does not await those of virtuous life in the afterlife.⁷⁶ If this were the case, our author affirms, it would be really foolish to persevere in virtue.⁷⁷ Laelius, the opponent of Philus in the *De re publica* shared this error, therefore, in order to defend the cause of justice, he was forced to add to this error another one, namely that virtue is (quasi) self-sufficient.⁷⁸ Lactantius quotes polemically two propositions of Laelius' discourse: (a) virtue contents itself with the glory as recompense,⁷⁹ and (b) when it is deprived even of this, it rejoices in itself.⁸⁰ The first counter-argument of the apologist resides in pointing out the inconsistency between these two statements. Then he argues that if virtue, which resides in tolerating suffering and dishonour, were not recompensed at all, it would be useless,⁸¹ and that our natural inclination to the virtue is an evidence in itself for the immortality of soul as a precondition of the eternal reward of a virtuous life.⁸²

75 *Inst.* 5.17, 16.

76 *Inst.* 5.18, 1–4.

77 *Inst.* 4.18, 2–3. As Lactantius says, he who did this, would deviate from the rule of the justice (*regula iustitiae*) itself. This probably means that to him the notion of justice implies the expectation of the fair recompense for just deeds.

78 *Inst.* 5.18, 4–10.

79 *Inst.* 5.18, 4–6. Quoted Cicero, *De re publ.* 3.28–29.

80 *Inst.* 5.18, 6–8. Cf. Cicero *De re publ.* 3.31.

81 The reasoning can be completed with the argumentation in the book 3 against the Stoic view that the virtue is the supreme good. See *Inst.* 3.8, 32–37. Here Lactantius uses two inferences. The first can be summarised like this: (1) to attain any kind of good costs pains; (2) thus, the supreme good costs the most pains; (3) assuming that virtue is the supreme good, to attain it another virtue would be needed [a hidden premise: enduring pain for something good implies virtue]; (4) which is absurd; (5) thus, virtue is not the supreme good. The second goes like this: (1) every good can be attained by pain; (2) virtue consists in enduring pain; virtue cannot be the supreme good (because the supreme good can be attained by virtue).

82 *Inst.* 5.18, 8–10.

As regards the other main question (2), namely why God wanted justice to have the semblance of folly, Lactantius' answer is the following:

God wanted virtue to be hidden under the guise of folly, that [*ut*] the mystery of his truth and his religion should be secret, [*ut*] that the cults and the cleverness of this earth that exalts itself so much and is so very pleased with itself should be condemned for emptiness and error, and finally that [*ut*] things should be difficult, the path that leads to the sublime reward of immortality being very narrow.⁸³

In my interpretation, the three clauses introduced by *ut* are not in the same relation with the main sentence.⁸⁴ The first *ut* clause expresses the global aim of this disguising. The mystery of the true religion—i.e., that eternal happiness will be the recompense of all the endurance and resistance to temptations virtue implies—should be kept secret. The second *ut* clause expresses the two reasons for keeping secret this mystery: the first is a legal one, consisting in provoking the fulfilment of the vices to make them clear and indefensible; the second is a pedagogical one, consists in training virtue to make it worthy of the eternal happiness. This means that the need for secrecy expressed in the first *ut* clause has the purpose of making it possible to achieve the procedure that should itself be kept secret.⁸⁵

This explanation of God's will to provide justice with the semblance of folly anticipates both in terms of content and terminology the exposition of the so-called doctrine of the two ways in the following book. The divine stratagem there referred to is included in the divine deceit which consists in combining all the real (eternal) advantages with seeming (temporary) disadvantages and all the real (eternal) disadvantages with seeming (temporary) advantages.⁸⁶ As a result, the real is hidden under the seeming. This concealment contributes to the pedagogical training indispensable for the development of true virtue.⁸⁷

⁸³ *Inst.* 5.18, 11 (Bowen and Garnsey translation modified).

⁸⁴ For this reason I slightly modified the translation of Bowen and Garnsey.

⁸⁵ Cf. *Inst.* 6.7.3: "God put things on his own path for people to shun as if they were disgracefully bad, so that when they had wandered off wisdom and truth (which they were looking for with no guide at all) they would tumble into exactly what they wanted to avoid and escape."

⁸⁶ *Inst.* 6.3–4.6.7. See V. Loi, "Problema del male e Dualismo negli Scritti di Lattanzio", *Annali della Facoltà di Lettere, Filozofia e Magisterio dell'Università di Cagliari* 29 (1965–66), 37–96.; Kendeffy, "The functioning of the two ways."

⁸⁷ *Inst.* 6.4, 20. Cf. V. Loi, "Il termine Arcanum e la disciplina dell' arcano nelle testimonianze di Lattanzio", *Annali della Facoltà di Letteri*, Cagliari, 37 (1974–75), 71–89.

As we can read in book 6, God has placed on the way of wisdom, leading to the heaven, traits resembling those of the folly, and vice-versa.⁸⁸ Hiding justice, which is inseparable from wisdom, under the veil of folly, and vice versa, is an aspect of providing wisdom with the semblance of folly. According to the apologist, then, the mystery was revealed neither to Carneades nor to the pagan defenders of the justice.⁸⁹ That is the reason why, on the one hand, the Academic philosopher did not discover why justice and folly are not the same thing and, on the other hand, why Plato, Aristotle, and their heirs—including Cicero and, as Lactantius thought, his mouthpiece Laelius—were not able to defend justice.

When explaining why Christians seem foolish to the pagans (1), Lactantius suggests that the pagans should take their own views seriously enough that if they decide not to follow the Christians, they should deride, rather than persecute them:

If you think us wise, copy us; if foolish, reject us, or even mock us if you will: our folly is to your advantage. Why torture us? Why harass us? We are not jealous of your wisdom: we prefer this folly of ours, we embrace it.⁹⁰

Some paragraphs later, after the quotation of and the comment on *De re publica* 3.13, we meet the same contrast of the alleged foolishness of the Christian and the supposed wisdom of the pagans:

‘Let kings secure their kingdoms and wealthy men their wealth’, as Plautus says [*Cur.* 178]; ‘and let prudent men secure their prudence: let them leave us our folly, which is plainly wisdom anyway, to judge by how they envy us for it.’⁹¹

This sharp contrast will remind the reader familiar with Scripture of a Pauline passage, 1 Cor. 20–21:

⁸⁸ *Inst.* 6.7, 2.

⁸⁹ Cf. *Inst.* 2–3, 21, where Cicero and Lucretius are reported to be ignorant of the secret (*arcanum*) that the true religion, instead of declaring itself and making its claim, gets suppressed.

⁹⁰ *Inst.* 5.12, 3–4: “Si vobis sapientes videmur, imitamini: si stulti, contemnite, aut etiam ridete, si libet; vobis enim stultitia nostra prodest. Quid laceratis? quid affligitis? non invidemus sapientiae vestrae. Hanc stultitiam malumus: hanc amplectimur.”

⁹¹ *Inst.* 5.12. 11–13: “Sua sibi habeant regna reges, suas divitias divites (ut loquitur Plautus), suam vero prudentium prudentes: relinquunt nobis stultitiam nostram, quam vel ex hoc apparet esse sapientiam, quod eam nobis invident.”

Where is the wise person? Where is the teacher of the law? Where is the philosopher of this age? Has not God made foolish the wisdom of the world? For since in the wisdom of God the world through its wisdom did not know him, God was pleased through the foolishness of what was preached to save those who believe.⁹²

It is not the first time that our author evokes these Pauline verses. In the beginning of book 4, he alludes to them to suggest that Christianity, regarded as foolishness by pagans, is the true wisdom:

Since they [sc. the pagan philosophers] have hunted for wisdom everywhere without finding it anywhere, and since it has to be somewhere, plainly it is best to look for it where the label of folly appears: this was the veil under which God hid his treasure of truth and wisdom, so that the secret of his divine work should not be open to all.⁹³

He claims this as a conclusion of a passage in book 3 where he denied that pagan (natural) philosophy is wisdom:

God puts them down [sc. the pagan philosophers investigating the hidden causes of the natural phenomena], who alone knows the truth, even though he may seem to wink at them; he takes the wisdom of men for the height of folly.⁹⁴

As far as this latter passage is concerned, it obviously contains an allusion to another verse of the same letter of Paul, namely 3.19: "For the wisdom of this world is foolishness in God's sight."⁹⁵

For Lactantius, these passages complete each other: they reveal the two aspects of the divine deceit which consists in hiding the real foolishness under the veil of the seeming wisdom, and of concealing the real wisdom under the

92 ποῦ σοφός; ποῦ γραμματεὺς; ποῦ συζητητὴς τοῦ αἰῶνος τούτου; οὐχὶ ἐμώρπενεν ὁ θεὸς τὴν σοφίαν τοῦ κόσμου; ἐπειδὴ γὰρ ἐν τῇ σοφίᾳ τοῦ θεοῦ οὐκ ἔγνω ὁ κόσμος διὰ τῆς σοφίας τὸν θεόν, εὐδόκησεν ὁ θεὸς διὰ τῆς μωρίας τοῦ κηρύγματος σῶσαι τοὺς πιστεύοντας.

93 *Inst.* 4.2, 3: "Qui quoniam peragratis et exploratis omnibus, nusquam ullam sapientiam comprehenderunt, et alicubi esse illam necesse est; apparet, illic potissimum esse quaerendam, ubi stultitiae titulus apparet; cujus velamento Deus, ne arcanum sui divini operis in propatulo esset, thesaurum sapientiae ac veritatis abscondit."

94 *Inst.* 3.3, 16: "Redarguit enim Deus, cui soli veritas nota est, licet connivere videatur, eamque hominum sapientiam pro summa stultitia computat."

95 ἡ γὰρ σοφία τοῦ κόσμου τούτου μωρία παρὰ τῷ Θεῷ ἐστίν.

veil of the seeming foolishness.⁹⁶ In book 6, when expounding the doctrine of the two ways, the apologist refers to them as that of the wisdom (*via sapientiae*) and that of the foolishness (*via stultitiae*) and says, alluding to the previous book (*quod libro praecedente monstravimus*), that “the path of wisdom bears some resemblance to that of folly.”⁹⁷ And indeed, divine deceit consists in providing wisdom with the semblance of justice and *vice versa*; thus the most important aspect of divine deceit lies in concealing all real advantages under the disguise of the real disadvantages, and the latter under the veil of seeming advantages. We can therefore see that the apologist explains how Christian wisdom has the semblance of folly with an allusion to these Pauline verses. The purpose of this procedure might have been to convince the Christian reader of shaky face who is already familiar with the Scriptures that the semblance involved here is necessary, that is, it results from the will of God.

As mentioned above, to present this situation, Lactantius uses Cicero as well. It is the first occasion that he quotes Philus’ discourse against justice from the book 3 of the *De re publica* (emphasis mine):

There is a passage in Cicero not too far from the truth, in the disputation of Furius against justice. ‘I have a question’, he says: ‘if there were two men, of whom one was an excellent man, very fair, utterly just, especially loyal, and the other a man noted for his outrageous wickedness, and if their community were in such confusion [*in eo sit errore civitas*] that it thought the good man to be a wicked and nefarious criminal [*sceleratum, facinorosum, nefarium putet*], while it reckoned that the actual villain was a man of the utmost probity and trustworthiness, and if in accordance with this conclusion of all citizens the good man were harassed and seized, his hands cut off, his eyes put out, he himself condemned, imprisoned, branded, cast out, impoverished, and everyone concluded that he was quite rightly in such depths of suffering, whereas the wicked fellow were praised and flattered, loved by all, and all positions of authority civil and military together with all financial resources were bestowed on him

96 Cf. G. Kendeff, “*Velamentum stultitiae*: 1 Cor 1:20f. and 3:19 in Lactantius’ *Divine Institutes*,” in: Ulrich, Jörg, Jacobsen, Anders-Christian, Brakke, David (eds.) *Invention, Rewriting, Usurpation. Discursive Fights over Religious Traditions in Antiquity* (Early Christianity in the Context of Antiquity—Volume 11). Frankfurt am Main, Berlin, Bern, Bruxelles, New York, Oxford, Wien, 2011. 57–70.

97 *Inst.* 5.7, 2: *Nam sicut via illa sapientiae habet aliquid simile stultitiae, quod libro praecedente monstravimus: ita haec, cum sit tota stultitiae, habet aliquid simile sapientiae...*

by everyone, and in conclusion he were judged to be the best of men and thoroughly worth all his fortune: who so *mad* [*demens*], then as to doubt which one he would rather be?"⁹⁸

It is worth noting that Lactantius takes this passage from Philus' discourse and places it before the account of the whole debate. He did that, as it seems to me, to emphasise even more the absurd contrast of semblance and reality in the particular situation of the persecution, for the wise in this example more closely resembles the Christian martyr than the wise man shipwrecked, or fighting in a war, which are the examples in the part of Philus' discourse later quoted by the apologist.⁹⁹

In Lactantius' interpretation, Philus has chosen this example as if he had prophesied (*quasi divinaret*). First, the Christians suffer exactly the pains that Philus enumerates. The catalogue of sufferings in the passage quotes above is in harmony with the account of the cruelty of the persecutors in the previous chapters of the *Institutes*.¹⁰⁰ The bad reputation of the wise in the example of Philus and that of the Christians in the earlier chapters of the *Institutes* also are described in analogous ways. As Lactantius says, repeating the words of Philus' speech and also amplifying them (in italics): "now the community, *or rather, the whole wide world*, is in such an error *that it persecutes good and just men*."¹⁰¹ As a prophecy, the apologist qualifies Philus' reasoning as "not too far from the truth" (*locus a vero non abhorrens*).¹⁰² However, he naturally rejects—as no doubt Cicero did as well—Philus' point that he who prefers to be just at this cost is mad (*demens*).¹⁰³ The quoted passage and its analogy with the actual situation, as the apologist judges it, serve to support implicitly for the pagan reader the proposition that the Christians are not foolish. First, by drawing a parallel between the lot of Philus' just man and the Christians, he makes his reader suppose that Christians, enduring the same amount of pain, are also just, as if the permanent tortures and dishonour could have no other cause.¹⁰⁴ Second, in the *De re publica*, it is the character arguing against justice who affirms that only a foolish man can prefer the justice under such

⁹⁸ *Inst.* 5.12, 5–6; cf. Cicero, *De re publica* 3.13.

⁹⁹ For a parallel passage, see Plato, *Republic* 361e4–362a1.

¹⁰⁰ *Inst.* 5.9; 5.11, 9–5; cf. McCormack "Cicero," 259.

¹⁰¹ *Inst.* 5, 12, 8.

¹⁰² *Inst.* 5.12, 5.

¹⁰³ *Inst.* 5.12, 10.

¹⁰⁴ In the eyes of Lactantius, this is really the case.

circumstances. Thus a pagan reader who regards himself as the friend of justice should feel forced to reject Philus' position.

Two chapters later, when the apologist makes the fundamental proposition of the book, namely (2) that justice has necessarily the semblance of folly, the reader familiar with the Scripture can hear an allusion to 1 Cor 1:20–21:

Why the wise are thought foolish has a sound explanation (the misunderstanding is not without cause), and we must give it with care, so that these people can, if possible, at last acknowledge their mistake. Justice has of its own nature a certain semblance of foolishness, and I can confirm this from both divine and human evidence.¹⁰⁵

Lactantius evokes these verses most clearly in a passage concerning fairness (*aequitas*). As we saw, in a digression before the summary of Philus' speech, he explains the failure of the philosophers to defend justice by describing briefly its main components. As he argues, the inter-human aspect of justice, that is fairness (*aequitas*), and it lies in treating our brethren as equal or even as superior to us. Those following this rule "will achieve in the judgment of God a much higher degree of worth."

Since everything in this secular world is short-lived and bound to decay, so people push themselves before others and fight for position, which is horrible, arrogant and far removed from wisdom: all those earthly achievements are quite the opposite of things in heaven. Just as the wisdom of men in God's eyes is the height of folly, and folly, as I have explained, is the height of wisdom, so anyone walking tall and conspicuous on earth is a low and abject thing before God.¹⁰⁶

Lactantius thus considers striving for earthly goods and power the manifestation both of the "wisdom in the sight of humans" and the "folly in God's eyes," whereas he sees in the absence of this ambition the embodiment both of the "folly in the sight of humans" and the "wisdom in God's sight." Obviously, he refers here not only to 1 Cor 1.20–22, but also to 1 Cor 3.19. He also linked them together and regarded them as completing each other at the beginning of the preceding book. After all these allusions, the reader familiar with the Bible,

¹⁰⁵ *Inst.* 5.14.1: "Quae vero causa sit, ut eos qui sapientes sunt, stultos putent, magna ratio est (nec enim frustra falluntur). Quae nobis diligenter est explicanda, ut errores suos tandem (si fieri possit) agnoscant. Justitia suapte natura speciem quamdam stultitiae habet."

¹⁰⁶ *Inst.* 5.15, 7–8.

when getting to the theological wording of the main question of the book, “why God wished to wrap justice up to look like folly,”¹⁰⁷ can hardly fail to associate it with the verses 1 Cor 1.20–22.¹⁰⁸

Now we can conclude that the Pauline verses constitute a second voice behind the first one, which is represented by the discourse of Philus/Carneades. On the surface, the apologist points out the inner inconsistencies of the latter, but on a deeper level, he is progressively making his pagan readers familiar with the truth of the Scriptures and even urges them to recognise that the uncompromised reading of the Ciceronian text leads necessarily to the acceptance of the Revelation.¹⁰⁹ The particular issue, in relation to which the apologist pursues this pedagogical procedure, is how divine providence is working in a deceptive way. This deceit will be explicitly expounded in the subsequent book by means of the allegory of the two ways.

4 Cicero and the Two Ways

Lactantius quotes *De officiis* 3.69, where Cicero makes this confession in the name of his generation:

We have no firmly shaped model of true law and genuine justice; we work with a shadow [*umbra*]. If only we followed it! It comes from the best examples in nature and truth.¹¹⁰

The apologist immediately joins to this passage another from an earlier chapter of the same book, truncating it deliberately:

Or when Fabricius or Aristides is called ‘just,’ he says, ‘one takes either them [sc. the two Decii] as the example of courage or him as an example

107 *Inst.* 5.17, 2. Cf. 5.18, 11: “Sed idcirco virtutem ipsam Deus sub persona stultitiae voluit esse celatam.”

108 P. Monat mentions the presence of 1 Cor 3:19 but not that of 1 Cor 1.20.22 (*Lactance et la Bible. Une propédeutique latine à la lecture de la Bible dans l’Occident constantinien*, Paris 1983, I. 248f).

109 To my knowledge P. Monat was the first to point out this intention of Lactantius in the *Institutes*. (*Lactance et la Bible* I. 241–264. However, he speaks only about a “discrete presence” of 1 Cor. 3.19 (248–9.) and does not even mention the use of 1 Cor. 1.21–22.

110 In *Inst.* 6.6, 25: “Sed nos, inquit, veri juris germanaeque iustitiae, solidam et expressam effigiem nullam tenemus. Umbra et imaginibus utimur; easque ipsas utinam sequeremur! Feruntur enim ab optimis naturae ac veritatis exemplis.”

of justice like as if any of them were wise. None of them was wise in the sense in which we want wise to be understood; Cato and Laelius weren't wise, despite being treated so and being called so; nor were the Seven Sages wise, though they performed many middle level duties, and so had the look of wise men [*ex mediorum officiorum frequentia similitudinem quamdam gerebant speciemque sapientium*].¹¹¹

In the former passage and its context, Cicero qualifies the point of reference of the people of his own age as *umbrae* derogatively to indicate the increasing distance of the custom of his age from a *ius civile* derived from the *ius naturae*.¹¹² However, this word also refers to a distance from—and not a deceptive imitation of—an ideal.

Differently stated: in the latter text and its context, Cicero denies the appellation “wise” to the prominent thinkers of better times, including Laelius, and concedes to them the label of *prokoptón* (proficient) because he denies it to everybody, from a point of view Middle-Stoic and Academic at the same time. In Stoic philosophy, *kathékonta*, i.e., appropriate actions—in Latin, *officia* or *media officia*, to distinguish them from *perfecta officia*, which are the same as *rectefacta* or *katorthómata*, that is, morally good actions—are defined as “activities that conform to constitutions in accord with nature,” or “actions which, when done, permit reasonable justification.”¹¹³ These are thus the potential

111 *De officiis* 3.16: “Aut cum Fabricius, inquit, aut Aristides justus nominatur, aut ab illis fortitudinis, aut ab his iustitiae petitur tanquam a sapiente exemplum. Nemo enim horum sic sapiens, ut sapientem volumus intelligi. Nec ii qui sapienter sibi habiti et nominati, M. Cato et C. Laelius, sapientes fuerunt, ne illi quidem septem: sed ex mediorum officiorum frequentia similitudinem quamdam gerebant speciemque sapientium.” The quotation starts in the middle of the sentence of Cicero, which begins: “Nec vero, cum Duo Decii aut duo Scipiones fortes viri commemorantur aut cum Fabricius.” Besides making the structure of the sentence grammatically doubtful, this decapitation obverts the meaning of the passage, which originally contained the negation of the fact that one takes either the two Decii as the example of courage or him as an example of justice as if any of them were wise. Chr. Ingremau writes in her commentary concerning this quotation: “l’absence de négation dans cette première phrase ne nous paraît pas non plus constituer un contresens” and that this modification “ne fait que confirmer la réalité de cette illusion collective”. (Lactance, *Institutions divines*, livre VI, éd. Chr. Ingremau, coll. Sources chrétiennes 509, Paris, Cerf, 2007, 392f.) According to this interpretation, *enim* explains the word *tamquam* which indicated that those following these examples fell prey to an illusion.

112 Zielinski, *Cicero im Wandel der Jahrhunderte* 127 holds that Lactantius misunderstood the passage.

113 Cicero, *Fin.* 3.20, Stobaeus 2.85.14–15; Diogenes Laertius 7.107. *Off.* 3.13–15. (*officia: similitudines honesti*).

steps of a progress (*prokopē*) leading to moral perfection. In the Lactantian context, on the contrary, the “look” of the wise men (*species sapientium*)—which those persons, achieving *media officia*, possess—appears to be so many deceptive images, the harmfulness of which lies just in their likeness (*similitudo*) to the true values.¹¹⁴ Besides modifying the meaning of both passage, Lactantius connects them in a deceptive way, as if the collective self-critique in Cicero applied to those mentioned in the second text: now the prominent figures of pagan philosophy appear as following the “shadow” (*umbra*) of the true law, that is, as we shall see, the *ius civile* alienated from the *ius naturae*.

This new meaning makes these quotations appropriate for introducing the doctrine of the two ways. According to Lactantius’ ingenious modification on the doctrine, the way leading to Hell has several by-turnings and byways (*deverticula, semitae*) according to the inborn character of those who travel it. Satan seduces those of noble moral or intellectual character by the semblance of the difference between falsehood and truth. Thus, he leads “sybarites one way and the frugal another, so too the ignorant and the educated, the lazy and the energetic, the fools and the philosophers.”¹¹⁵ Within the last class, he separates “those earnestly pursuing virtue and professing a contempt for possessions” from those with no qualms about pleasures and riches. He opens to the former group a rocky path, which by its difficulty imitates the steep and bumpy way leading to the Heaven.¹¹⁶ The moral ideals in conformity with the criteria of the *ius civile*, are, therefore, the deceptive semblances of the true virtues. In Lactantius’ doctrine, all moral models of Greek and Roman history find their place on some of these byways, and those philosophers who defended the cause of justice, are regarded as travellers on the byway of those forsaking pleasure and riches. Thus the apologist criticizes Laelius for claiming the self-sufficiency of virtue and uses Cicero to classify him as a bearer of the semblance (*umbra*) of wisdom. But there is also no doubt that this is where Lactantius thinks Cicero himself belongs.

Another quotation from book 3 of *De re publica* serves as a starting point to attack the central problem of justice. This passage is preserved only by Lactantius, and was most probably included in the speech of Laelius.¹¹⁷

114 Cf. *Inst.* 6.10.11. (on pagan philosophers comprehensively): *falsae virtutis specie capti*.

115 *Inst.* 6.7, 5.

116 *Inst.* 6.7, 2–7; 7, 1–2.

117 *De re publ.* 3.27. Its place within the discourse is under discussion. Until recently, the editors placed it in the beginning as an *exordium* or a part of it but, Powell, probably inspired by J.-L. Ferrary, “Le discours de Laelius dans le troisième livre du *De re publica* de Cicéron”

Lactantius introduces it as speaking about the law of God (*Dei lex*), which directs us to the way leading to the Heaven.¹¹⁸

True law is right reason [*recta ratio*], in accord with nature, universally distributed, consistent, perpetual, summoning men to their duty and deterring them from deceit with orders positive and negative; its orders whether positive or negative are not wasted on good men, nor do they change the behaviour of bad men. It is not right for this law to be superseded; no subtraction from it is permitted; no suspension of it is possible: we cannot be released from it either by senate or by people, and no Sextus Aelius is needed to explain it or to interpret it; it will not be one law in Rome and a different law in Athens, one law now and different at a later date; all nations will be bound by it at all times, for it is one, eternal and immutable, and there will be one god, the common master and commander of us all; he was the one who wrote this law, explained it and enacted it. Anyone not obedient to him will be in flight from himself, and even if he avoids all other punishments imaginable, for defying his human nature he will pay the supreme penalty.¹¹⁹

The apologist exalts Cicero for “divining” the truth unaware “by some spiritual instinct” and even acknowledges that the pagan Roman thinker grasped the force and the principle of the eternal law of God.¹²⁰ Indeed, these lines, besides answering methodically, as Chr. Ingreteau has pointed out, all the points of Philus’ discourse,¹²¹ correspond in every detail to the view of Lactantius. Nevertheless he sees a fundamental deficiency in Cicero’s conception of the true law, which he imputes not to the intellectual weakness of the pagan author but to his ignorance of Revelation: this is the failure of expounding the prescriptions of this law. This deficiency of Cicero will be the motive force of the subsequent train of thought on the structure of true justice.

Lactantius defines the two main components of justice in book 5 and 6 in a similar way, distinguishing its religious aspect, that is piety or religion (*pietas, religio*) and its inter-human aspect, that is fairness or humanity or compassion

in “Mélanges de l’École française de Rome.” *Antiquité* T. 86, no. 2. 1974. 745–771, especially 759, puts it in the middle of the speech.

118 *Inst.* 6.8, 6. For the analysis of the treatment of this passage by Lactantius also see B. Colot. “Penser la conversion de Rome . . .” 2013, 175.

119 *Inst.* 6.8, 7–9.

120 *Inst.* 6.8, 10.

121 Ingreteau, “La *Vera lex*” in: *Lactance Institutions divines, livre VI.* 396.

(*aequitas, humanitas, misericordia*).¹²² The former, the source (*origo; unde oreretur*)¹²³ and head (*caput*) of the justice, is defined as knowing, recognizing, acknowledging and venerating God as our true father.¹²⁴ The cognitive aspect of piety/religion also includes the knowledge of God's promise regarding eternal happiness and the hope that it will be accomplished.¹²⁵ Fairness/humanity/compassion is described as treating the other, even though being inferior, as equal or even superior to oneself,¹²⁶ or as recognizing and treating other people as our true brothers.¹²⁷ To the apologist, piety or religion comprehend what is due to God (*quid debeatur Deo*), that is, our connection (*coniunctio*) with Him, whereas humanity or compassion implies what is due to man (*quid debeatur homini*), that is, our connection with them.¹²⁸ The latter duty stems from the former. Thus, the inter-human aspect of the justice cannot work without the

122 As to the question why Lactantius substituted in book 6 the terms *humanitas* and *misericordia* for that of *aequitas* used in book 5, I share the opinion of V. Buchheit ("Die Definition der Gerechtigkeit bei Laktanz und seinen Vorgängern". *Vigiliae Christianae*, 33. 1979/4. 356–374, esp.), Chr. Ingreneau ("Lactance et la justice: du livre V au livre VI des 'Institutions divines' 50) and J. Walter (*Pagane Texte und Wertvorstellungen bei Lactanz*, Göttingen, 2007, 291f.) that the the apologist did not change his conception, as V. Loi argued ("I Valori Etici e Politici delle Romanita negli scritti di Lattanzio", *Salesianum* 27 (1965), 65–134, esp. 97ff.; Il concetto di "Iustitia" e i fattori culturali dell'etica di Lattanzio. *Salesianum*, XXVIII. 1966. 583–624, esp. 591) in order to make concessions to the traditional Roman moral thinking. I would rather suggest that by introducing these new terms, he just gave greater accent to the cause of the sense of equality (*aequitas*), which is humanity (*humanitas*) and to its emotional aspect, which is compassion (*misericordia*).

123 *Inst.* 5.14, 11; 5.15, 1.

124 *Inst.* 5.14, 11–12; 6.9, 1; 6.9, 24; 6.9, 23. For the concept of God as *pater familias*, that is, both *pater* and *dominus*) and the concept of man as both *filius* and slave see mostly *Inst.* 4.4, 1–5; 4.4, 11. For a classical examination of this idea of Lactantius see A. Wlosok, *Lactanz und die Philosophische Gnosis. Untersuchungen zur Geschichte und Terminologie der gnostischen Erlösungsvorstellung*. Heidelberg, 1960, 232ff.

125 *Inst.* 6.9, 18.

126 *Inst.* 5.14, 16–20; *Inst.* 5.15, 6–7. Cf. Cicero, *De amicitia* 69.

127 *Epit.* 54, 4–5: *Primum autem iustitiae officium est deum agnoscere eumque metueri ut dominum, diligere ut patrem. . . . secundum iustitiae officium est hominem agnoscere velut fratrem*. In book 5 of the *Institutes* (5.5, 1–7, 10.), the mythological account on the history of man is meant to be not only an evidence to the truth of the Old Testament but also a historical illustration of the idea to be expounded later that without the recognition of God as father a brotherly relationship with other people is impossible.

128 *Inst.* 6.10, 1–2. Both the familial and the legal character of the two components are accentuated, especially in book 6.

aspect relating to our relationship to God.¹²⁹ Lactantius emphasizes that our fraternal obligations toward other people on a universal level are based on the fact that we are the sons of one and the same God, and also the descendants of one and the same man created by Him.¹³⁰ *Aequitas/humanitas/misericordia* also can be defined as the manifestation and realisation of *pietas/religio*. As the apologist says: “whatever you grant to man, you also grant to God.”¹³¹ This idea is reflected in the use of the word *pietas* to denote also an inter-human duty.¹³² This is also the reason why the proportions between the treatment of *religio* (ch. 9.) and that of *humanitas* (chs. 10–25) are so unequal.

Several of these ideas can remind us of Cicero’s theory of justice, even though Lactantius does always refer to him in this respect.¹³³ As B. Colot shows, the father of Roman eloquence also thought that natural law comprehends both our duties toward God and those toward men, the latter deriving from the former.¹³⁴ For example, in the *De inventione*, he lists among the components of *ius naturae* as fundamental virtues religion (*religio*) and piety (*pietas*), to continue with revenge for injuries (*vindicatio*), gratitude (*gratia*), attention to superiors (*observantia*), and truthfulness (*veritas*). Religion is described as “relating to the fear of, and ceremonious observance paid to the gods,” piety as consisting to fulfil our duties towards our country, our parents or others connected with us by ties of blood.¹³⁵ The most striking parallel is in the

129 *Inst.* 5.15, 1; pagan philosophers, thus, could not defend justice because they did not know either its first or second fundamental component: *Ideo non est illud verum bonum a philosophis repertum, quia ignorabant vel unde oriretur, vel quid efficeret; quod nullis aliis, praeterquam nostro populo revelatum est.* Cf. Ingrebeau, “Lactance et la justice” 2002, 155f.

130 *Inst.* 6.10, 4: “Nam si ab uno homine, quem Deus finxit, omnes orimur, certe consanguinei sumus; et ideo maximum scelus putandum est, odisse hominem, vel nocentem. *Inst.* 6. 10, 8: Item si ab uno Deo inspirati omnes et animati sumus, quid aliud quam fratres sumus, et quidem conjunctiores, quod animis, quam qui corporibus?”

131 *Inst.* 6.10, 1.

132 *Inst.* 6.10, 3; 6.12, 25. For a profound analysis of these terms see B. Colot, *Lactance: Penser la conversion de Rome*, 2014, ch. 6.

133 V. Loi traces Lactantius’ definition of justice back to the passages in Cicero to which I am going to refer (*I valori etici e politici*, 114ff.), V. Buchheit opts for Matthew 22:36–40 as principal source. (“Die Definition der Gerechtigkeit bei Laktanz und seinen Vorgängern”. *Vigiliae Christianae*, 33. 1979/4. 356–374, esp. 363.); W. Winger claims that the apologist was influenced by both sources in this respect; see *Personalität durch Humanität* p. 471f.

134 In this comparison I follow to great extent B. Colot’s analysis. See B. Colot, *Lactance: penser la conversion de Rome...* 2014, ch. 3, 11: Cicéron et la loi naturelle: *iustitia et pietas*. She also makes reference to all of the passages of Cicero that I am going to cite.

135 *Inv.* 2.64. In the *Topica*, fairness or equity (*aequitas*) is divided into three categories: one “having reference to the gods above, another, to the shades below, and a third, to

Partitiones oratoriae, where Cicero divides law (*ius*) into two components, adding that the former refers to equity (*aequitas*) and the latter to religion (*religio*).¹³⁶ B. Colot argues convincingly that the Roman philosopher, by placing among all our duties those toward the gods in the first rank, contradicts to some extent his own statements that deduce the system of duties from the Stoic theory of *oikeiôsis*.¹³⁷

As we saw, the fundamental idea of Lactantius's moral philosophy is that our duties toward the divinity and those toward men are based respectively on certain filial ties to God and fraternal relation to men. As we evoked it earlier, most frequently he uses the term *iustitia* to express a concept of familial connotation that comprehends both of these fields. The traditional moral and religious term of *pietas* could convey this connotation more appropriately,¹³⁸ however, it refers in most cases to the religious aspect of the content of the divine law, usually referred to as *iustitia*. B. Colot with reason accentuates that Cicero did not use this concept of justice, bearing a familial connotation, but implicitly, neither did he use the term *pietas* in this complex meaning. It is for this reason, as Colot claims correctly, that this concept of justice implies blood-relationship (*sanguinis coniunctio*), which makes men "have the same statues of ancestors, the same rites of domestic worship, the same sepulchres."¹³⁹ But this precondition is missing in the empire.¹⁴⁰ In contrast to this, for

mankind" (*pietas, sanctitas, iustitia*) (23, 90.). In the preface to the dialogue *On the Nature of the Gods*, Cicero writes that with piety (*pietas*) removed, good faith (*fides*), sense of community (*societas generis humani*) and justice (*iustitia*) likewise disappear (1.3–4.). It is thus worth noting, that the Roman thinker tends to use *iustitia* on the one hand, in a general sense including both religious and inter-human duties, and, on the other hand, to refer to only the inter-humans obligations whereas the term *pietas* stands in his works sometimes for (all or certain) religious, sometimes for certain inter-human obligations. For the analysis of the term *pietas* see H. Wagenwoort, (*Pietas, Pietas*, in: *Selected Studies in Roman Religion*, Leiden 1980, 1–20) and B. Colot, « *Pietas* », *Vocabulaire européen des philosophies, Dictionnaire des intraduisibles*, sous la dir. de B. Cassin, Paris (Le Seuil-Le Robert), 2004, pp. 942–945. Wagenwoort argues (esp. p. 9) that in Cicero's work before 45 BC the term referred primarily to inter-human duties, later to religious obligations.

¹³⁶ *Part. Or.* 129. See Loi, *I valori etici e politici* 114.

¹³⁷ *De officiis* 1.116. Cf. 3.6, 28, where the inverse of the latter idea can be found: those neglecting their duties—if not toward fellow-citizens but at least toward foreigners—fall short of piety (and are therefore *impii*). See Colot, "Penser la conversion de Rome," 2013, 163ff.

¹³⁸ See Colot, "Penser la conversion de Rome," 2013, 168ff.

¹³⁹ Cicero, *Off.* 1.55. Colot, "Penser la conversion de Rome," 2013, 166. She refers (see 168–171) to this conception of justice as *pietas*, presumably on account of its traditional meaning.

¹⁴⁰ Colot, "Penser la conversion de Rome," 2013, 168–171.

Lactantius, the two obligations of justice have their roots in blood-relationship, consanguinity. He founds the validity of the prescription of humanity partly on the idea that all men were “procreated” (*generari*) by the same one God who breathed the soul into all of them, partly on the thesis that all men descend from the same one man, created by the one God.¹⁴¹

Let us specify this difference a little bit more. To Cicero’s mind human bodies came into being in a certain time from certain seeds, owing to the *perpetual celestial courses and revolutions*,¹⁴² whereas the souls, as divine gifts, has been implanted by god.¹⁴³ This God-man relationship really cannot be called father-son relationship except metaphorically. We are left rather with a kind of participation in divine essence. Further, according to the same dialogue, the common possession of the reason and the law (right reason) constitutes a community of law, a city between men and gods. Consequently, this community connects men with each other.

A certain analogy is appealing between the anthropological and theological foundations of Cicero’s and Lactantius’ concept of the structural basis of justice. As we saw, to Cicero’s mind, one and the same community of law, originating with the common possession of reason, unites both men to the gods and one man to other. Consequently justice, both toward gods and toward men, is based on a certain kinship. Similarly, according to this doctrine, religious obligations are also based on a certain “filial” relationship with the supreme god. However, B. Colot claims correctly that Cicero spoke about the kinship of reason between men only in metaphorical sense, on the grounds that Cicero’s supreme god himself can only be called “father” metaphorically, in contrast to Lactantius’ god, “who performed the *task of a real father* on the grounds that himself created our body, himself infused the spirit by which we breath.” The

141 See Colot, “Penser la conversion de Rome,” 2013, 183f., and, more widely, Colot, *Lactance: penser la conversion de Rome* . . . 2014, chapter 3, 111 “Pietas chrétienne et justice naturelle”) et IV “Ius fraternitatis, ius consanguinitatis.”

142 *Leg.* 1.22.

143 *Leg.* 1. 22; 1.24. The verbs *generare* and *ingenerare* which Cicero uses here also are employed by Lactantius to describe the production of the human soul by God (cf. n. 148). From the procreation of man by the supreme god, and from the kinship of reason with the gods, it follows that man has as a distinctive characteristic the religious capacity, that is, a certain knowledge of god, and the consciousness that it should have a god (*habendum sciat*) (*Leg.* 1.25). To acknowledge (*agnoscere*) God, thus, is to *recollect whence one arouse*. Cf. Lactantius, *Inst.* 3.10, 5–8.; 7.9, 1. In Lactantius, the expression *agnoscere Deum* is related to the child-father relationship between man and god and the brotherly relationship between men. See *Inst.* 6.9.8; 6.9.11; 6.9, 13; 6.9.13; 6.9, 24.; 6.10, 26.; *Epit.* 54, 4–5.

passage continues: “all that we are is his.”¹⁴⁴ Consequently, the common possession of reason can constitute real brotherhood, real kinship.

It is worth noticing that Lactantius, speaking about God, gives a new meaning to the concept of father. According to this concept, as we can see from the last citation, a father is the cause and the possessor of his children who entirely depend on him. In this sense, a human father cannot be properly called this, because it is not he who infused the soul into his offspring and who produced (*finxit*) their bodies. God is the pure type of all fathers. To Lactantius, the characteristics of the Roman *pater familias* are apt to express to a certain degree these attributes of God. Lactantius' God differs from the supreme god of Cicero primarily by his personal and committed, more human character, whence follows in this doctrine the greater dependence of men on him. God created (as far as the body is concerned) only one man and wanted all the rest to descend from this first one, on account of his own *pietas*, in order to make man a social being.

At this point a difference between the meanings of two terms, *fraternity* (*fraternitas*) and *consanguinity* (*consanguineitas*) needs to be cleared up in the light of Lactantius' anthropology. The apologist regards body as “shaped” or “moulded” by God (*formare* or *informare*,¹⁴⁵ *ingere*,¹⁴⁶ *figurare*¹⁴⁷), whereas he considers soul to be breathed into the body, “engendered” in a way, (*generare*¹⁴⁸ *gignere*¹⁴⁹ *inspirare*¹⁵⁰). Thus to his mind, body is something really created *out of the matter* by God, who created the latter *out of nothing*, whereas soul is something emanating *from God*.¹⁵¹ In this respect the similarity with the thought of Cicero is clear, for the latter also claimed that natural law and

144 *Inst.* 2.11, 19: “Deus ergo veri patris officio functus est. Ipse corpus effinxit; ipse animam qua spiramus infudit. Illius est totum, quidquid sumus.” B. Colot quotes it in “Penser la conversion de Rome,” 2013, 181. Cf. *Opif.* 19.3–5.

145 *Ira* 13, 13.

146 *Opif.* 1, 11; 8, 3; *Ira* 10, 43–4; *Inst.* 1.11, 42; 2, 1, 15; 2.10, 7; 6.15, 2. *Epit.* 50, 3.

147 *Inst.* 2.12, 1; 2.17, 9; *Inst.* 2.10, 3; 7.14, 13–14; *Epit.* 2, 1 and 60, 2.

148 *Inst.* 3.9, 14; *Inst.* 3.14, 10; *Epit.* 62, 7.

149 *Inst.* 3.28, 1; 5.14, 16; 7.5, 9; *Epit.* 54, 4.

150 *Inst.* 5.14, 16; 6.1, 2; 6.10, 6. The last verb can also refer to the production of the human soul alone. See also *Opif.* 19, 5; *Inst.* 2.12, 3; 7.22, 11; *Ira* 13, 13.

151 I argue elsewhere (“Remarks on Lactantius' Dualistic system”) for this suggestion and discuss the positions of H. Karpp (*Probleme altchristlicher Anthropologie. Biblische Anthropologie und philosophische Psychologie bei den Kirchen-vatern des dritten Jahrhunderts*. Gütersloh: G. Bertelsmann Verlag, 1950, 136; 146.), V. Loi (*Lattanzio nella storia del linguaggio e del pensiero teologico pre-niceno*, Zürich, Pas-Verlag, 1970. 186f.) and M. Perrin, *L'homme antique et chrétien. L'anthropologie de Lactance—250–325*, Paris, Beuchesne, 1981, 319) regarding the origin of the soul.

justice are based on the fact that the souls, and only the soul, of all men are procreated in a way by the one/the supreme god.¹⁵² Besides, in the *De opificio Dei*, the apologist clearly states that God breathes each soul into the body separately.¹⁵³ From these anthropological ideas it follows that the rootedness of the prescription of universal humanity/fairness in our nature is based, on the one hand, on the fact that the body of all of us descends from the body of one and the same man, really created by the one God from nothing, and, on the other hand, on the fact that our souls were inspired by (that is, have emanated from) one and the same God without any intermediary. As some further passages clearly reveal, from the former fact stems consanguinity (*consanguineitas*),¹⁵⁴ whereas from the latter, fraternity (*fraternitas*).¹⁵⁵ It seems that to the mind of Lactantius it is the fact that only one human body was created immediately by God and all the other bodies descend from the first one, *is* our *consanguinity*, and serves in the providential plan as admonishment of our being brothers likewise in our souls on the grounds that the souls of all of us were inspired by one and the same God. Consanguinity, thus, reinforces fraternity. This

152 In *Inst.* 2.11.16. Lactantius quotes *Leg.* 1.22. to conclude that even Cicero understood that man had been procreated (*generari*) by God (cf. Cicero: *praeclara quadam conditione generatum esse a supremo Deo*). *Inst.* 4, 4, 6. quotes it again approvingly, even though blaming the author for “having made no offer of the worship that was owed him as supreme father, though it was both consequent and necessary.” Cf. Colot, “Penser la conversion de Rome . . .” 2013, 181.

153 *Opif.* 19, 2–4. B. Colot is aware of this distinction (“Penser la conversion de Rome . . .” 2013, 178 n. 190) but her analysis is not focused on this subject.

154 *Inst.* 6.10, 4: “Nam si ab uno homine, quem Deus finxit, omnes orimur, certe consanguinei sumus; et ideo maximum scelus putandum est, odisse hominem, vel nocentem.”; *Epit.* 60, 3: “Si enim ficti ab uno Deo et orti ab uno homine consanguinitatis iure sociamur, omnem igitur hominem diligere debemus.” Cf. *Inst.* 5.8, 9–11, where the author complains, quoting a complaint of Cicero (*Leg.* frg. 3.), that after men have forgotten that they were related by blood (*neque se intellegunt esse consanguineos*), the golden age when no jail and no punishment were needed, and when only one law existed, came to end. In *Inst.* 6.10, 19–27, Lactantius claims that the inclination to form a society (*communitas*) is due to the fact that “unus homo a Deo fictus est, ab eoque uno omnis terra humano genere completa est.”

155 *Inst.* 6.10, 6: *Item si ab uno Deo inspirati omnes et animati sumus, quid aliud quam fratres sumus?* With the first word *item* the apologist indicates that he begins to treat an other kind of production (i.e. an emanation) of an other part of man (that is the soul) and an other aspect of man’s social nature. The next sentence even seems to claim the superiority of this “spiritual” kinship to the corporeal one (that is consanguinity) Cf. *Epit.* 53, 4: “Si enim nos idem Deus fecit, et universos ad iustitiam vitamque aeternam pari conditione generavit, fraterna utique necessitudine cohaeremus, quam qui non agnoscit, iniustus est.”

reinforcement comes about through the common experience of the corporeal weakness of man.¹⁵⁶

At this point we have to raise the question: why did the apologist declare that his pagan colleague failed to expound the prescriptions of this law, if his doctrine on the relation between the two fundamental components is indebted to Cicero? As I mentioned, to Lactantius the first basic prescription, that of religion, residing in the acknowledgement and worship of God, also implied the knowledge of God's promise regarding eternal happiness and the hope that it will be accomplished.¹⁵⁷ Besides, it extends to the knowledge and acceptance of the whole secret (*arcanum*) or mystery (*mysterium*) of divine providence, namely how the "two ways" are functioning. To Lactantius, the ignorance of "the logic of the two ways" as we could see, prevented both Carneades and the persecutors, even Cicero himself, from understanding why justice bears the semblance of folly. To the eyes of the Christian author, this shortcoming entails an approach we can label "earthly pragmatism."

It is to disclose this earthly pragmatism that Lactantius makes use of Philus' arguments two times, without indicating it. The first time is when he argues against one of the traditional definitions of virtue: "to take the interest (*commoda*) of the country as highest priority."¹⁵⁸ Here he evokes Philus' anti-imperialistic argumentation.¹⁵⁹ This patriotic conception of virtue, Lactantius adds, entails the disruption of the ties within human race (*discidium generis humani*),¹⁶⁰ and is based on the principle of interest (*commodum, utile, prodesse*), itself misunderstood, as being restricted to the field of the earthly, temporary life.¹⁶¹ By evoking the arguments of Philus, Lactantius affirms implicitly that a morality based on the interest of the fatherland, instead of being rooted in nature, is bound to be particular and artificial. He draws the conclusion that the concept of virtue he is criticising pertains not to true justice (*vera iustitia*), but the citizen-like way of life that regards only this temporary

156 *Inst.* 6.10, 3–5. Here human weakness as opposed to the physical excellences of particular animals, serves as one of the arguments to prove that *miseriordia/humanitas* is really the fundamental component of a natural justice. Cf. *opif.* 2–3.

157 *Inst.* 6.9, 18ff.

158 *Inst.* 6.6, 19. Cf. Lucilius, frg. 1337 (Marx).

159 See note 73.

160 To testify to this point he quotes a passage from Cicero's *De officiis* (3.28.) claiming that justice implies an equal respect of fellow-citizens and foreigners and that a different attitude disrupts "the fellowship we share as human beings" (*dirimunt humani generis societatem*).

161 For this eschatological concept of usefulness cf. *Inst.* 5.11, 3. and *De ira* 13.19–25.

life (*hanc vitam moremque civilem*).¹⁶² On the next occasion, immediately after defining two fundamental components of justice, the apologist uses both Philus' anti-imperialistic arguments,¹⁶³ and those based on the spatial and temporal diversity of laws¹⁶⁴ to prove that without complying with the prescriptions of the religious aspect of justice, referred to here as *ius divinum*, all striving to observe the prescriptions of inter-human justice are without effect. He states that he who falls short of the first prescription either becomes openly unjust or, if he wants nonetheless to follow justice, "will embrace their own laws as if they were the true law (*verum ius*)". These laws, he adds, again following Philus' reasoning, are the product of expediency (*utilitas*) and not of justice."¹⁶⁵ By exploiting Philus' arguments, the apologist intends to intimate, on the one hand, that a moral principle which encourages harming other people, disregarding how close or distant the relationship we have with them, cannot be rooted in nature, and that, on the other hand, universality and generalizability of a moral principle is the criterion for considering it to be natural.

The critique of the "earthly pragmatism", detected under the noble kind of pagan morality, also finds its expression in book 6 of the *Institutes* in the treatment of the inter-human aspect of justice, referred to here as *humanitas*. The author defines it as "quite simply loving people because they are human and the same as we are."¹⁶⁶ In saying this, he evokes Cicero's statement:

And further, if Nature ordains that one man shall desire to promote the interests of a fellow-man, whoever he may be, just because he is a fellow-man, then it follows, in accordance with that same Nature, that there are interests that all men have in common.¹⁶⁷

Cicero used the term *humanitas* several times in a similar sense.¹⁶⁸ Lactantius quotes these words of the *De officiis* to support the first component of what he means by humanity: "if he is obedient to Nature, [he] cannot do harm to

¹⁶² Cf. Ingreteau, "Lactance et la justice" 2002, 44.

¹⁶³ *Inst.* 6.9, 5. Cf. Cicero *De re publ.* 3.11–12.

¹⁶⁴ *Inst.* 6.9, 3.; 6.9.6–7. Cf. Cicero *De re publ.* 3.18.

¹⁶⁵ *Inst.* 6.9, 2. Cf. *Inst.* 5.16, 3.

¹⁶⁶ *Inst.* 6.11, 1.: "Id autem ipsum conservare humanitatem, quid aliud est, quam diligere hominem, quia homo sit, et idem quod nos sumus?"

¹⁶⁷ *Off.* 3.27: "Atque etiam si hoc natura praescribit, ut homo homini, quicumque sit, ob eam ipsam causam, quod is homo sit, consultum velit, necesse est secundum eandem naturam omnium utilitatem esse communem."

¹⁶⁸ *Re publ.* 2.27 and 2.48; *Off.* 1.62; 2.18; 3.32; *Off.* 3.41. (connected with *pietas*); *Tusc.* 4.32; cf. *Off.* 3.30. For more accurate comparison of the two concepts of *humanitas* see J. Bryce,

his fellow-man.”¹⁶⁹ However, it is important to notice that Cicero’s statement in *De officiis* 3.2, as B. Colot points out, is not meant to be a real definition of *humanitas*.¹⁷⁰ Unlike Lactantius, Cicero made a utilitarian restriction on this principle in the *De officiis*, claiming that according the law of nature, the life of someone who contributes to the common interest (*utilitas communis*) in a great measure is worth more than that of an unworthy man.

... nature’s law itself, which protects and conserves human interests, will surely determine that a man who is wise, good, and brave, should in emergency have the necessities of life transferred to him from a person who is idle and worthless.¹⁷¹

The apologist, on the contrary, holds that the agent possessing the virtue of *humanitas* takes into account nothing else in the other person than, on the one hand, his being human and, on the other hand, *his own* being human.¹⁷² He describes the main components of humanity, prescribed by the divine law (*divina lex*): largesse, hospitality, ransoming captives, guarding and defending children and widows, looking after the sick, burial of strangers and paupers. All these duties are approved by everyday morality and also—with the exception of the last one—by philosophers, who, however, grasped but a parcel of their real meaning. As to the last prescription, they ignore it entirely. In contrast to them, the Christians are fully aware of the importance of these duties and do not fail to realise them. As to the first and second duty, the apologist illustrates the narrow-mindedness of pagan philosophers with passages from the *De officiis* of Cicero. Regarding largesse, he blames the pagan author for taking it as an unsustainable kind of benevolence¹⁷³ or at least restricting its scope to the category of the “suitable men.”¹⁷⁴ In the case of hospitality he reprehends the pagan thinker for suggesting that: “the homes of distinguished men should

The Library of Lactantius 154–166; Chr. Ingreneau, “Humanitas” in *Institutions divines*, livre 6., 408–9; B. Colot, “Humanitas” and W. Winger, *Personalität durch Humanität*. 532–546.

169 *Off.* 3.25: “hominem naturae obedientem homini nocere non posse.”

170 B. Colot, “*Humanitas* et ses synonymes chez Lactance,” 111. Cf. *Re publ.* 1.28.

171 *Off.* 1.31.

172 W. Winger points out with reason that to Lactantius the fulfilment of inter-human justice implies self-knowledge and self-development at the species level (*Personalität durch Humanität* 538f).

173 *Off.* 2.52, 2.54.

174 *Off.* 1.54; cf. *Inst.* 6.11, 9ff.

be open to distinguished guests.”¹⁷⁵ He traces back these restrictions to the author’s inclination to take into account the agent’s interest (*utilitas, commodum*) rather than the humanity and the needs of the other.¹⁷⁶ Cicero, he judges, like the Stoics whom he also reprehends for their rejection of compassion,¹⁷⁷ neither was aware of the essence of humanity (implying that one should help the other simply for the sake of his humanity) nor knew the reward for it (that is eternal happiness).¹⁷⁸ To Lactantius’ mind, the criterion of a just deed lies in the lack of any chance and hope of compensation, and even in the lack of all concernment.¹⁷⁹ The more concerned you are either emotionally or practically concerned in the result of a benefaction, the less valuable and more suspect the benefaction is. Suspicion particularly arises when the beneficiary is a relative, friend or anyone who can recompense your help.¹⁸⁰ Accordingly, burying strangers is the most valuable of all benefactions, which is bestowed, as a matter of fact, rather on God than one’s fellowman. In this case, *man* replaces the relative, humanity (*humanitas*) replaces relational affection (*affectus*).¹⁸¹ It is due to this perfect lack of interest in burying strangers that philosophers, who, even while obeying the other prescriptions, never could have helped being influenced by a certain degree of expediency (*commodum*), and thus omitted to reckon it among moral duties, even though ordinary people always have approved of it.¹⁸² This doctrine could be characterised as an endeavour to offer an automomus ethics, or even Kantian ethics *avant la lettre*,¹⁸³ if the critique

175 *Off.* 2, 54 (*Inst.* 6.12, 5). He turns Cicero against Cicero, by quoting *De Legibus* 1.49: “The more a man refers all his actions to the service of his own interests (*commodum*), the less he is a good man.”

176 Cf. Ingreteau, “Lactance et la justice” 2003, 50.

177 He points to the contradiction between two attitudes he attributes to them: the approval of helping those running accidentally into trouble, and the disavowal of assisting those in chronic trouble, that is, poor people, widows, orphans, etc. He traces this assumed contradiction back to the fact that they focus on momentary expediency (*praesens utilitas*) rather than the humanity of the person in need. (*Inst.* 6.11, 4)

178 *Inst.* 6.11, 20.

179 *Inst.* 6.11, 14.

180 *Inst.* 6.12, 17–18. See Winger, *Personalität durch Humanität* 544.

181 *Inst.* 5.12, 31.

182 *Inst.* 5.12, 26. To guard and defend children and widows has even a specific rationale, connected to the role of the persecutions in God’s plan of salvation: by fulfilling this duty, one precludes the possibility that concern for his survivors discourages someone to confess his faith. *Inst.* 6.12, 23–4.

183 See Winger, *Personalität durch Humanität*, 474 and 535.

of earthly pragmatism was not completed by another kind of pragmatism, an eschatological one:

And yet there is a return: what a man does for another expecting nothing back from it he does do for himself because he will have his reward from God.¹⁸⁴

Although the apologist quotes Cicero himself to attack earthly pragmatism on two occasions,¹⁸⁵ he generally seems to consider Cicero's self-critical remark in *De officiis* 3.69 (about the *umbra veritatis*) to be expressing his acknowledgment of ignorance relating to true law (*verum ius*). He labels Cicero as a shadow-like, imaginary teacher (*umbraticus et imaginarius praeceptor*)¹⁸⁶ and—in a fictive duel again, with a fictional view to the conversion of the opponent—calls upon him “to cast off justice, and grab hold of true justice in its full form.”¹⁸⁷ This criticism is well grounded in the sense that to the author of the *De officiis*, the law of nature prescribes the contribution to a kind of the “earthly” interest, and that he founded on it, as a criterion, the restrictions on human solidarity. On the other hand, and more importantly, Lactantius' judgment was unjust in the sense that the interest that Cicero spoke about is common, not private, long-term and not momentary, and that for the pagan thinker, the criterion for choosing the right person to benefit is not his ability to return it, but to contribute to the common interest.¹⁸⁸

Lactantius' account of the inter-human aspect of justice serves both polemical and positive purposes. As we could see, by expounding the instructions of the religious aspect of justice, i.e., *pietas* or *religio*, the apologist justified and specified in this domain his earlier criticism of Cicero for failing to expound the particular instructions of both divine and natural law, “the force and the principle” of which he nevertheless “divined by some spiritual instinct.” Without the knowledge, acknowledgement, and worship of God, and without both the knowledge of His promise, and the confidence that He will be true to it, one cannot be fully aware of the brotherly ties (*fraternitas*) and consanguinity

184 *Inst.* 5.12, 3; cf. 6.9, 23: “abstention from immediate goods is impossible unless there are other, greater, goods which make it worthwhile to miss out on pleasures and to put up with all manner of evil. But there are no other goods . . . except those of life everlasting.”

185 *Inst.* 6.11, 16; cf. *De Legibus* 1.48 (virtue is its own only recompense) and *Inst.* 6.12, 10 (a good man's actions do not depend on any interest).

186 *Inst.* 6.12, 14.

187 *Inst.* 6.11, 18.

188 Cf. MacCormack “Cicero” 160.

with his fellow men. Whence follows that instead of the bare humanity of the other, he will concentrate on the aspects of the existence of the latter with which he himself is personally concerned. The apologist qualifies Cicero, as we could see, using his pagan counterpart's self-criticism as a weapon against him, as following the shadow (*umbra*) of the truth, that is, walking on the by-way of the path leading to Hell which is reserved for a relatively noble category of pagan philosophers, who earnestly pursue virtue and profess a contempt for possessions.¹⁸⁹ Another, positive purpose of the account of the instructions of the divine law related to inter-human relationships is, as Colot pointed out, to show that the masses of Christians not only teach but perfectly fulfil these instructions, which philosophers have partially professed but have never really practiced.¹⁹⁰

Conclusion

For Lactantius, Cicero incarnated that sort of pagan philosophical and religious thinking that is the most appropriate for convincing well-educated pagan readers. He regarded the father of Roman eloquence as someone who has advanced the farthest in breaking with traditional pagan moral and religious thinking, and who offered proper arguments against it. However, Cicero's teaching seemed to him not only a weapon but also a common ground between pagans and Christians. He considered Cicero's thinking to be the most suitable for showing that paganism is a false version of Christianity. But Cicero also serves Lactantius as a butt for criticizing pagan thinking, as his treatment of the question of justice shows. Lactantius was able to make Cicero's texts convey his own genuine ideas (e.g., that of divine deceit, contrast of semblance and reality, the doctrine of the two ways, the both natural and divine law) and also to use them by way of a propaedeutic for the reading of the Bible. He can be labelled *Cicero Christianus* not eminently by reason of his eloquence but on the more important grounds that he shared Cicero's purpose to put eloquence in the service of a moral doctrine (see chapter 13).

We can also see that Lactantius consciously crafted the self-image of a Christian Cicero. He did this by pursuing fictive duels with his great predecessor, sometimes with the purpose of Cicero's fictional conversion, sometimes by modifying his quoted text, and more generally making the reader regard him as completing the task that Cicero himself had left unaccomplished. The reader is

189 *Inst.* 6.7, 6.

190 Cf. B. Colot, "Penser la conversion de Rome ..." 2013, 144f.

supposed to think that the author of the *Divine Institutes* is the true instructor who has replaced the shadow-like instructor (*praeceptor umbraticus*), the latter walking on the deceptively difficult byway of the path leading to Hell, whereas he alone “can discover the truth as easily as he can expose falsehood.”¹⁹¹ As we saw, Lactantius quoted the self-critical declaration of Cicero: “If only I could discover the truth as easily as I can expose falsehood.”¹⁹² The apologist himself, as he adds immediately, will complete the task Cicero admitted to having fallen short of accomplishing. Whether he managed to do this it is not my task to decide. Either way, Jerome, immediately after praising our author as “a flow of eloquence worthy of Tully,” judged him as follows: “would that he had been as ready to teach our doctrines as he was to pull down those of others!”¹⁹³ In this way, Jerome passes judgment on Lactantius by alluding to Cicero’s self-critical declaration which Lactantius himself used to stress his own superiority compared to his pagan counterpart. Is it too audacious to interpret Jerome’s use of this particular sentence as expressing the opinion that the author of *Divine Institutes*, intending and pretending to be *Cicero Christianus*, fell short of his ambition?

191 Cicero, *De Natura Deorum* 1. 91 quoted in: *Inst.* 2.3, 24; cf. *Inst.* 1.17, 4; *De ira* 11, 10.

192 *Inst.* 2.3, 24: “Utinam tam facile vera invenire possem, quam falsa convincere.”

193 Jerome, *Epistula* 49, 10: “Lactantius quasi quidam fluvius eloquentiae Tullianae, utinam tam nostra affirmare potuisset, quam facile aliena destruxit.”

PART 2

The Politics of Reception



Conyers Middleton's *Cicero* *Enlightenment, Scholarship, and Polemic*

Robert G. Ingram

Conyers Middleton's *History of Marcus Tullius Cicero* (1741), the authoritative eighteenth-century treatment of its subject, was firmly the product of the age's polemical quarrels, something which the three handsome leather-bound folio volumes that comprised the first edition perhaps mask.¹ But to understand both the origins and argument of Middleton's monumental work of classical scholarship, we must appreciate the polemical quarrel from which it sprang. In its own way, the history of the composition and publication of Middleton's *Cicero* illuminates some of the central—if often neglected—themes of eighteenth-century English intellectual life, including, the debate of the past's hold on and guidance of the present; the places and modes by which contemporaries fought their positions; the politics of religion; and, finally, the role of restraint, official and unofficial, overt and unspoken, in shaping and managing debate. Middleton's life of Cicero, put another way, not only provides a concrete example of the practice and pressures of polemical divinity, but also illustrates the degree to which eighteenth-century English intellectual life remained consumed with Reformation-era questions about truth and the ways to discern it.²

History has largely forgot Conyers Middleton (1683–1750), his reputation having subsequently been overshadowed by those of both David Hume and

* I need especially to thank William Altman for his patience, forbearance and suggestions for improvement. Thanks, as well, to Alex Barber, Bill Bulman, Bill Gibson and Stephen Taylor for helpful conversations. All errors are, of course, my own. Unless otherwise noted, publication for all works is London. English Short-Title Catalogue (ESTC) numbers follow the date for all eighteenth-century publications.

1 Matthew Fox, 'Cicero during the Enlightenment', in *The Cambridge Companion to Cicero*, ed. Catherine Steel (Cambridge, 2013), 318–336, esp. 331. Editions of Middleton's *Cicero* were being published as late as 1892.

2 This chapter is drawn from my larger book project entitled, *A Warfare upon Earth: Religion and Enlightenment from Newton to Hume*. A fuller treatment of this chapter's subject and of its more general themes will be found there. For eighteenth-century polemical divinity, see B. W. Young, 'Religious Writing', in *A companion to Literature from Milton to Blake*, ed. David Womersley (Oxford, 2000), 548–599; idem, *Religion and Enlightenment in Eighteenth-Century England* (Oxford, 1998), esp. 19–44.

Edward Gibbon.³ Yet both of these famous religious sceptics themselves acknowledged Middleton's importance and, in Gibbon's case, his influence. Hume, for instance, rightly recognized that Middleton's *Free Inquiry into the miraculous powers* (1749) had touched a more sensitive nerve than had his own metaphysical speculations in an *Enquiry concerning Human Understanding* (1748): "I had the mortification to find all England in a ferment on account of Dr. Middleton's Free Enquiry; while my performance was entirely overlooked and neglected," he groused.⁴ For his part, Gibbon's first encounter with Middleton's work in 1753 drove him into the arms of the Roman Catholic Church. "The name of Middleton was unpopular; and his proscription very naturally led me to peruse his writings, and those of his antagonists," Gibbon recollected. From that reading, he developed unsettling doubts about the authenticity of the Christian miracles during the centuries immediately following the apostolic age. "I still revered the character, or rather the names, of the saints and fathers whom Dr. Middleton exposes; nor could he destroy my implicit belief that the gifts of miraculous powers were continued in the church, during the first four or five centuries of Christianity," Gibbon recalled. "But I was unable to resist the weight of historical evidence, that within the same period most of the leading doctrines of popery were already introduced in theory and practice: nor was my conclusion absurd, that miracles are the test of truth, and that the church must be orthodox and pure, which was so often approved by the visible interposition of the Deity." The sixteen-year-old Gibbon resolved this conflict between "implicit belief" and "the weight of historical evidence" by converting, if only for a short time, to Roman Catholicism.⁵ Years later Gibbon again found inspiration in Middleton. "This man was endowed with penetration and accuracy," he noted after re-reading the *Free Inquiry*. "He saw where

3 There is no full-scale modern biography of Middleton, but see John A. Dussinger, 'Middleton, Conyers (1683–1750)', *Oxford Dictionary of National Biography* [hereafter: *ODNB*]; Hugh Trevor-Roper, 'From Deism to History: Conyers Middleton', in idem, *History and the Enlightenment* (New Haven, 2010), 71–119, 286–295; Michael Snow Lawrence, 'Conyers Middleton: Polemic Historian' (unpublished Ph.D. thesis, Columbia University, 1970). See also, Trinity College, Cambridge [hereafter: *TCC*], Add. ms A 298: M. L. Clarke, 'Conyers Middleton' (unpublished typescript). Easily the most perceptive treatment of Middleton's thought is Brian Young, 'Conyers Middleton: The Historical Consequences of Heterodoxy', in *The Intellectual Consequences of Religious Heterodoxy, 1600–1750*, eds. Sarah Mortimer and John Robertson (Leiden, 2012), 235–265.

4 J. Y. T. Grieg (ed.), *Letters of David Hume* (Oxford, 1932), I, 3 ('Memoirs').

5 George Birkbeck Hill (ed.), *The Memoirs of the Life of Edward Gibbon* (1900), 68. Cf. David Womersley, *Gibbon and the 'Watchmen of the Holy City': The Historian and his Reputation, 1776–1815* (Oxford, 2002), 309–313.

his principles led; but he did not think proper to draw the consequences.”⁶ Gibbon himself, or so he thought, would follow them to the end of the line in his *Decline and Fall of the Roman Empire* (1776). A continent away and four decades later, Thomas Jefferson likewise looked to Middleton for instruction and inspiration: “Middleton’s writings, especially his letters from Rome, and to Waterland, [serve] as the basis of my own faith,” he explained to John Adams. “[T]hese writings have never been answered, nor can be answered, by quoting historical proofs, as they have done. [F]or these facts therefore I cling to their learning, so much superior to my own.”⁷

So who was Conyers Middleton? Born the son of a north Yorkshire clergyman, he received “Schole Learning” from William Tomlinson in the local grammar school, where Tomlinson taught him Latin and Greek, evidently to lasting effect.⁸ “The scene of it is laid in a place and age, which are familiar to us from our childhood,” Middleton later wrote of Cicero’s life, “we learn the names of the chief actors at school, and choose our several favourites according to our tempers or fancies; and when we are least able to judge the merit of them, form distinct characters of each, which we frequently retain throughout life.”⁹ As his abiding love of the classics endured with Middleton for the rest of his life, so did his “Yorkshire dialect very strong in many words,” though he returned to his native county only once after his father’s death in 1714. Middleton’s world instead centred on Cambridge, where he went up in 1699 as a pensioner of Trinity College,¹⁰ the same year that the Richard Bentley became its master.¹¹ Middleton was, early on, a high church Tory and a theologically orthodox

6 Edward Gibbon, *Miscellaneous works of Edward Gibbon* (1796: T079697), III, 45.

7 J. Jefferson Looney (ed.), *The Papers of Thomas Jefferson. Retirement Series* (Princeton, 2010), VI, 440: Jefferson to Adams, 22 August 1813.

8 British Library [hereafter: BL], Add. MS 5833, f. 232: William Cole’s account of Conyers Middleton; John and J.A. Venn, *Alumni Cantabrigienses . . . Part I. From the Earliest Times to 1751* (Cambridge, 1922) [hereafter: Venn, AC], III, 184.

9 Conyers Middleton, *The history of Marcus Tullius Cicero* (1741: T125479), I, xvi.

10 BL, Add. MS 5833, f. 230: Cole’s account of Middleton; Venn, AC, III, 184; *Clergy of the Church of England Database* (www.theclergydatabase.co.uk) [hereafter: CCED]; Clarke, ‘Conyers Middleton’, 1–2.

11 Apparently Bentley was a disastrous administrator, at turns vengeful, rapacious, petty and arrogant. He brooked no dissent, gave no quarter and kept his college in fear; see Edmond [sic] Miller, *Some remarks upon . . . The present state of Trinity College* (1710: T049385), 85: “when [Bentley] came to College, it was easy to perceive in their Countenances how most of the Fellows were terrify’d, as well as dissatisfy’d with what they thought [he] was doing; they scarce spoke to one another, but looked like so many Prisoners which were uncertain whether to expect military Execution, or the favour of Decimation’.

churchman of the sort anathema to the Whig Bentley, and Bentley's tyrannical mastership of Trinity brought him and Middleton into conflict. Indeed, it was during a long-running quarrel with Bentley that Middleton first cut his teeth as a polemicist, so that he would soon develop a reputation as 'the most acute controvertist of the Age'.¹² If Middleton's inaugural polemical quarrel with Bentley showed his skills as a polemical divine, it also cost him dearly and threatened to destroy his career. It certainly drove him to take a leave of absence from the university in order to travel abroad 'for the Recovery of his health & for the viewing of foreign libraries'. He spent that time abroad in Rome, where he gathered together the materials for his *Letter from Rome* (1729), a work published a half-decade after his return to England.¹³

1

Although there were already signs of heterodoxy in Middleton's *Letter from Rome* (1729), these became, to his contemporaries, glaringly obvious in the 1731 *Letter to Dr. Waterland*, a pamphlet occasioned by the September 1730 appearance of Waterland's *Scripture Vindicated*. After his initial anonymous attack on Waterland, Middleton followed up with three further anonymous ripostes to him and his orthodox defenders.¹⁴ And, it was the theological heterodoxy which contemporaries thought that they detected in Middleton's anti-Waterland pieces that eventually spurred him to research and write his life of Cicero.

Fully to appreciate the *Letter to Dr. Waterland* and its sequel pamphlets requires understanding what Middleton thought he was doing in them, what he actually did in them, and how his contemporaries interpreted what he did in them. In the *Letter*, Middleton cast himself as a sola scripturalist Protestant, a proper heir to the Reformation. The *Letter to Dr. Waterland* itself fell into two parts, the first of which exposed the flaws in Waterland's reasoning and

12 Sarah Brewer (ed.), *The Early Letters of Bishop Richard Hurd, 1739–1762* (Woodbridge, 1995), 95; Hurd to John Potter, 27 January 1743.

13 For the *Letter from Rome*, see Young, 'Conyers Middleton', 240–247; idem, 'Preludes and postludes to Gibbon: Variations on an impromptu by J. G. A. Pocock', *History of European Ideas* 35 (2009), 422–424; Snow, 'Conyers Middleton', 24–88. Cf. Trevor-Roper, 'From Deism to History', 79–80.

14 [Conyers Middleton], *A defence of the letter to Dr. Waterland* (1731: T220974), first appeared in print in November 1731 (*London Evening Post*, 20–23 November 1731); [idem], *Some remarks on a reply to the defence of the letter to Dr. Waterland* (1732: T012468), appeared in April 1732 (*Daily Journal*, 13 April 1732); [idem], *Remarks on some observations* (1733: T046788), appeared in May 1733.

the second of which spelled out how Waterland might more effectively have responded to Matthew Tindal's *Christianity as Old as the Creation* (1730).¹⁵ Middleton's critical treatment of Waterland and of orthodox apologetics more generally took up the bulk of the pamphlet and so perhaps not unnaturally his contemporaries placed the greatest weight on that part of the work, largely ignoring his concluding criticisms of Tindal's "blunders of history," "his inconsistency with himself," his "malice to the Clergy" and his "obstinate perseverance in errors." Yet what drove Middleton to excoriate Waterland's method of reasoning was his frustration with Waterland's inability effectively to rebut Tindal. For, on his own telling, Middleton actually found completely wrong-headed Tindal's argument that "the Christian Religion is nothing else but a Republication of the Law of Nature, and cannot be true and obligatory any farther, than as it corresponds entirely with that original Law." And in Waterland's *Scripture Vindicated*, Middleton had hoped to find one of the Church of England's most prominent defenders exposing the fundamental flaws of Tindal's reasoning, but found instead that Waterland had both mischaracterized Tindal's work—"Such a disingenuous way of forming an indictment must needs appear odious not only to the enemies, but much more to the true friends of a Religion"—and had employed a method of reasoning which weakened, rather than girded, belief in the Bible. The results, Middleton concluded, were devastating to the cause of true religion, for if Waterland's *Scripture Vindicated* failed in its apologetical aims, it would "expose the Scripture itself to contempt; give a real triumph to its enemies; confirm them in their infidelity; and inject probably new scruples where none had been entertained before."¹⁶ The *Letter to Dr. Waterland*, then, was not the work of a "deist" or of an atheistical "freethinker" who sought to undermine Christianity but was rather the product of a stridently Protestant Erasmian,¹⁷ a Christian sceptic, one for whom the conjoined twins of orthodoxy and dogmatism were anathema, to be sure, but one who never saw himself as anything other than a believing Christian.¹⁸

15 Stephen Lalor, *Matthew Tindal, Freethinker* (2006), esp. 111–140.

16 [Middleton], *Letter to Dr. Waterland*, 2, 7, 57, 64–66, 67.

17 Middleton quotes Erasmus *Epistle to Joh. Ulattinum*: Quid aliis nescio; me legentem sic afficere solet M. Tullius, praesertim ubi de bene vivendo disserit, ut dubitare non possim, quin illud pectus, unde ista prodierunt, aliqua divinitas occupavit on 2.431n.

18 Young, 'Conyers Middleton', 244; idem, "'Scepticism in Excess': Gibbon and Eighteenth-Century Christianity', *Historical Journal* 41 (1998), 184–185. Cf. Trevor-Roper, 'From Deism to History', *passim*.

Most of Middleton's contemporaries either ignored or discounted his Christian scepticism, though.¹⁹

So what did Middleton actually argue in his *Letter to Dr. Waterland*? The starting point of his dispute with Waterland was hermeneutical, about how properly to interpret the foundational and most primitive source of Protestantism, the Bible. The Middleton-Waterland contretemps distinguished itself from the Tindal-Waterland one in that the latter dealt fundamentally with God's nature, the former, with how to interpret God's instructions to mankind. For Waterland, Middleton argued, had failed to understand the Bible because he had argued only from external evidences and, even worse, because he had interpreted the Bible's contents literally, focusing solely upon "the external evidence of the fact" rather than correlating the historical record with "the internal merit of its doctrines." This, Middleton contended, was "beginning at the wrong end; since 'tis allowed on all hands, that if any narration can be shewn to be false; any doctrine irrational or immoral; tis not all the external evidence in the world that can or ought to convince us, that such a doctrine comes from God."²⁰ And by way of proof, he subjected the biblical accounts of The Fall, circumcision and Babel to close scrutiny and asked if they made literal sense. Where Waterland treated the biblical account of The Fall literally, for instance, Middleton countered "that all Commentators whatsoever are forced in some measure to desert the letter, in order to make the story rational and credible."²¹ Even Waterland himself did so, since the Bible, after all, makes no mention of the Devil, yet Waterland had posited that "the Deceiver was a real Serpent, actuated by the Devil." Furthermore, Middleton continued, it would have made no sense for the Devil to assume the form of a snake since it is 'natural to be jealous and on guard against the counsels, to distrust all offers of kindness of the subtle and malicious: so that an Ass or a Dove must needs have been a fitter engine for Satan, under the disguise of folly or innocence, to have insinuated his poison by.' And that was not the end of the problems with the biblical account of The Fall, for even if the Devil had tried to tempt Eve, why did God not 'interpos[e], in so unequal a conflict'? No literal answer readily offered itself. Middleton suggested, however, that recourse should be made to allegory, with Adam representing "reason of the mind of man; . . . Eve, the flesh or outward senses; [and] the Serpent, lust or pleasure." The "true causes of man's fall and degeneracy" then become evident: "as his mind, through the

19 See Andrew Starkie, *The Church of England and the Bangorian Controversy, 1716–1721* (Woodbridge, 2007), 126–154 for useful background on the 'hermeneutics of heresy'.

20 [Middleton], *Letter to Dr. Waterland*, 46.

21 [Waterland], *Scripture vindicated . . . Part 1*, 15; [Middleton], *Letter to Dr. Waterland*, 13.

weakness and treachery of his senses, became captivated and seduced by the allurements of lust and pleasure, he was driven by God out of Paradise; that is, lost and forfeited the happiness and prosperity which he had enjoyed in his innocence." All of this, Middleton concluded, made the story of The Fall "intelligible and rational; agreeable not only to the common notions and tradition of history, but to the constant and established method of God's Providence."²² In this, Middleton assured his readers, he was only following the lead of "several of the Antients," including St. Augustine of Hippo, who interpreted The Fall similarly. Middleton likewise tried to demonstrate that the biblical accounts of circumcision and of Babel strained credulity and likewise cited as his authorities not just reason but patristic sources.

In addition to highlighting the inadequacies of literalist biblical hermeneutics, Middleton argued for the necessity of civil religion. Rejecting both atheism and the religion of nature, Middleton contended that an established religion was necessary for any society to flourish. Yet his defense of civil religion sounded at once Erastian and cynical. Natural religion, he noted, had never been sufficient in ancient societies to serve as a nation's moral guide: "there never was a nation in the world, whose publick Religion was formed upon the plan of Nature, and instituted on the principles of meer Reason: but that all Religions have ever derived their Authority from the pretence of a Divine Original, and a Revelation from Heaven." Indeed, he continued, even when the "Moralists of the Heathen World . . . clearly saw the cheat and forgery of the established Religion—and it will become evident that Middleton had Cicero in mind here—they nevertheless "always persuade and recommend a submission to it; well knowing what mischief must needs befall the State by the subversion of constitutions so greatly revered by the people." The truth of the civil religion mattered not; that it was the civil religion was what counted.²³

This idea of partial or general inspiration, though, raised an important question: how should one read the Pentateuch, which Moses wrote, or the Bible more generally? As Waterland himself clearly recognized, the answer to this question mattered, since Protestantism's central doctrine of *sola scriptura* was impossible without a stable and agreed upon hermeneutical method. The controversy over *Christianity as Old as the Creation* had exposed the faultlines between 'deists' and the orthodox regarding biblical hermeneutics. When Tindal had argued that the Bible contained parts that contravened natural religion and, hence, were untrue, Waterland had countered in *Scripture Vindicated* that the Bible truthfully recorded history. Reason, reckoned Waterland, might

²² [Middleton], *Letter to Dr. Waterland*, 14–21.

²³ *Ibid.*, 50, 52.

be able to take us some way towards the truth, but only the Bible articulated the revealed Christian doctrine necessary for salvation and the historical proofs that God's revelations were, in fact, true. In his *Letter to Dr. Waterland*, Middleton waded into this battle on the side of neither combatant but rather to offer a third way, one which did not reject Christian revelation but one which did argue that the Bible must be read more than simply as literal account of the historical record because its history was often incomplete, contradictory or, at times, even irrational. Someone like Middleton, then, posed a threat more dangerous to orthodoxy than the "deist" Tindal, since he wrote from within the establishment and as an avowed, if sceptical, Christian. In retrospect, Conyers Middleton's self-appointed task of rebutting Matthew Tindal while simultaneously criticizing Daniel Waterland was a fool's errand, not least because it was hard for others to tell whether he was friend or foe.²⁴ Philip Williams—an orthodox Cambridge divine who called for Middleton's anti-Waterland pieces "to be burned, and the Author of them Banished"—reckoned that Middleton had attacked both "Infidelity and Orthodoxy."²⁵ By the same token, Middleton himself had it on good authority "that Tindal and his club are writing against the latter part of the Letter," a rumor which had also reached Daniel Waterland's ears.²⁶ Hardly anyone, it seemed, approved of Middleton's efforts. For to question Waterland's form of primitivism was to question orthodoxy's foundation, method and content. And to assail the apotheosis of orthodoxy and one of Cambridge's most respected figures, in the process, was to commit career suicide if one hoped for high preferment within the Church of England.

2

The Letter to Dr Waterland provoked the orthodox, a number of whom rushed into print to defend the master of Magdalene College. Waterland himself had no idea initially who had written *A Letter to Dr. Waterland*, but he did not like what he read. "I have seen the Letter written to me by name, which was not

24 Cf. Lambeth Palace Library [hereafter: LPL], MS 1741, ff. 78–79: Waterland to Gibson, 29 December 1730, in which Waterland despairs of the Christologically heterodox James Foster's attempt to rebut Tindal: 'Such defenders of Religion, I conceive, will do us no service. They are the men I am most afraid of.'

25 [Williams], *Some observations*, title page, 5.

26 BL, Add. MS 70410: Middleton to Harley, 25 January 1732; Edward Churton (ed.), *Fourteen Letters from Daniel Waterland to Zachary Pearce* (Oxford, 1868) [henceforth: Churton, *Letters*], 24: Waterland to Pearce, 13 February 1732.

fair but against Rule," he complained to Edmund Gibson less than two weeks after the anonymous pamphlet's appearance. "I know not what to make of the Author. The letter seems to me to be a sneer: And if so, He is a thorough paced deist. But if it be serious, He is a semi-deist."²⁷ To another friend Waterland described the piece as "very superficial, and indeed a childish performance."²⁸ Yet, look into the margins of Waterland's own copy of the *Letter* and his anxieties shine through: "So this pretended Believer and real infidel, gives up the Inspiration of the Scripture at once in a fit of rage, and madness," he scribbled at one point, before noting on the next page, "this whole piece is written without regard to Truth, and is every where full of . . . falsehood." Elsewhere, he worried that to the *Letter* writer, "it seems Religion is a human invention: And this great defender undertakes to justify the inventing it, by his wise Argument," while near the end of the pamphlet, Waterland lamented that the author "does not yet, not once assert the truth and reality of revealed Religion."²⁹

That Middleton had written the *Letter* surprised most at the time, not least because he had been a staunch Tory, a longtime scourge of Bentley, Cambridge's most prominent Whig, and an ally and friend to some of Cambridge's most avant-garde orthodox for nearly two decades. His was clearly not the profile of a heterodox anticlerical. It is therefore not surprising that the controversy following the revelation of his authorship wrought profound changes in his life, and especially in his hopes for preferment. Middleton had long cultivated a relationship with Edward Harley, second earl of Oxford.³⁰ Harley was Robert Harley's only son and heir both to his fortune and to his library, which had grown to 3000 books, 13,000 charters and 1,000 rolls by 1715, when a new Whig government threw the former Tory prime minister into the Tower for two years, and Middleton, already a librarian, gathered many manuscripts for Harley when he travelled to the continent. By 1721, the collection had grown to 6,000 books, 14,000 manuscripts and 500 rolls, and by Edward Harley's death in 1742, the Harleian library's collections stood at a staggering 50,000 books,

²⁷ LPL, MS 1741, f. 78: Waterland to Gibson, 29 December 1730.

²⁸ Magdalene College, Cambridge [hereafter: MCC], Master's Records C/DW/I [typescript], p. 30: Waterland to Thomas Bishop, [early 1731]. The typescript date has this letter as being sent on 28 February 1729/30, which is impossible since it would have predated the *Letter to Dr. Waterland's* composition and publication. Alas, researchers are not now allowed access to the original manuscript Waterland-Bishop letters—also in the college's possession—so that it has not been possible to check the typescript against the originals.

²⁹ Bodleian Library, Oxford [hereafter: Bodleian], 8° Rawl. 431 (1): Daniel Waterland's annotations to *A letter to Dr Waterland*, n.d., 44, 45, 49, 62.

³⁰ BL, Add. MS 70410: Middleton to Harley, 3 November 1724; C. E. Wright and Ruth C. Wright (eds.), *The Diary of Humfrey Wanley, 1715–1726* (1966), 323, 341–345.

350,000 pamphlets, 41,000 prints. By the mid 1720s, Harley housed the books at Wimpole Hall, a dozen miles southwest of Cambridge, and the manuscripts at the London family residence in Dover Street. It was, by far, England's largest, most impressive private library at the time, boasting a collection of books and manuscripts from both the British Isles and the Continent that spanned the period from antiquity to the present. Unlike his father, though, Edward Harley had little taste for public affairs, despite two brief stints in the Commons before removing to the House of Lords upon his father's death in 1724. Instead, as the precipitous expansion in the Harleian library's holdings from the early 1720s onwards suggests, Edward Harley devoted most of his energy into building up its the library's collections and to patronizing artists, architects and authors.³¹ Not unsurprisingly given its proximity to the university, Wimpole became something of a gathering place for Cambridge antiquarians.

Middleton's friendship with Harley was a complicated one, at best. Middleton was not a man without friends, but he was one without influential patrons: Harley, he hoped, would be that patron.³² In truth, Middleton had been angling for admission into the Harley circle for nearly a decade. In many ways, it was a natural fit, since his and Harley's political sympathies and intellectual interests aligned closely.³³ Yet Middleton's pursuit of Harley was, at times, painfully awkward, and yielded little tangible by way of ecclesiastical preferment. By 1721 he was sending copies of his published work to him, while just before his trip to Rome in 1723, Harley's librarian, Humfrey Wanley, recorded in his diary: "Dr Mid[d]leton came & tarried above two Hours in talking about Library-affairs; and renewing his Offer to serve my Lord in his Travels."³⁴ In late 1724, when Middleton was again trying to drum up funds to get himself back to Rome, he promised Harley: "I shall look upon my self

31 C. E. Wright, 'Portrait of a Bibliophile VIII: Edward Harley, 2nd Earl of Oxford, 1689–1741', *Book Collector* 11 (1962), 158–174; idem, 'Humfrey Wanley: Saxonist and library keeper', *Proceedings of the British Academy* 46 (1960), 99–129; A. S. Turberville, *A History of Welbeck Abbey and its Owners. Volume One: 1539–1755* (1938), 361–387; W. A. Speck, 'Harley, Robert, first earl of Oxford and Mortimer (1661–1724)', *ODNB*.

32 For patron-client relationships during the period, see William Gibson, "'Unreasonable and Unbecoming': Self-Recommendation and Place-Seeking in the Church of England, 1700–1900", *Albion* 27.1 (1996), 43–63.

33 Beinecke Rare Book and Manuscript Library, Yale University [hereafter: Beinecke], Osborn MS c.195/128: Middleton to John Audley, 15 November 1718; Middleton voted for Harley in the 1722 election: *A copy of the poll for the knights of the shire, taken at Cambridge, March the 29th, 1722* (1722: T185206), 7.

34 BL, Add. MS 22908, f. 122: Middleton to John Colbatch, 16 May 1721; Wright and Wright (eds.), *Diary of Humfrey Wanley*, 249.

only as a kind of Agent of yours, since next to the advantage I hope for to my health I shall have no pleasure so great as that of collecting such Curiosities as may be found worthy of a place in your Lordship's Cabinet."³⁵ Yet if Harley had not delivered any preferment in the 1720s, there was always the possibility that he *might* be able to do so in the future. And so Middleton continued to cultivate the friendship. After his return from Rome, he wrote regularly to the bibliophilic earl and visited him both in London and at Wimpole. It was in the Wimpole library that he began to write up his *Letter to Dr. Waterland*, a work which he clearly knew would be contentious since he asked Harley's opinion of the manuscript and "whether it will be advisable for me to print them, as I have an inclination to do, without my name, in expectation of lying effectually concealed."³⁶ Middleton certainly thought that he had Harley's approval, for as he reminded him a few years later: "[b]efore its publication I had the pleasure of your Lordship's approbation of it; & as long afterwards as the Author continued unknown, that of hearing it commended by your Lordship, as oft as mentioned at your Table." Indeed, Middleton continued, he had "had the Authority of your Lordship's judgment entirely along with me" because he had "submitted the other [anti-Waterland] pamphlets in the same manner to your Lordship; who made no other exception to them, but what your kindness to me suggested, of the hurt which they might possibly do to myself in the University, & of the sharpness of some expressions, which by your Lordship's direction I readily corrected."³⁷ By the time Middleton wrote this reminder to Harley, his relationship with the earl had turned cold, something he did not foresee in mid-December 1730 when he sent off the *Letter* to press in London.

Middleton's reputation—especially in Harley's eyes—did not survive the *Letter to Dr. Waterland* controversy intact. The unraveling of that particular relationship itself offers a case study of the pressure borne by heterodox thinkers during the first half of the eighteenth century and the effects of that pressure on their subsequent careers. Middleton did not, like Thomas Woolston, suffer imprisonment for his thought; but he, like many others at the time, nonetheless paid a price for his non-orthodoxy. The pressure brought to bear upon him was both overt and subtle, brazen and understated. And, above all, it was effective in marginalizing, if not finally silencing, him; indeed, it would catalyze the process by which his thought became ever more heterodox. His old foe, Richard Bentley, went about declaiming the 'Pagan Middleton', while others

35 BL, Add. MS 70410: Middleton to Harley, 1 December 1724.

36 BL, Add. MS 70410: Middleton to Harley, 20 November 1730, 30 March 1731.

37 BL, Add. MS 32457, ff. 83–84: Middleton to Harley, 10 June 1733.

in private and print insisted that he was an *infidel*.³⁸ And that ‘stain of infidelity’ as Middleton would later mockingly refer to it helped finally to bring an end to his close friendship with Edward Harley.³⁹ Fortunately for Middleton—and also, as it turned out, also for Cicero—the powerful man to whom he turned next had very different tastes.

Though his flamboyance and sexual preferences opened him up to Alexander Pope’s merciless abuse in the *Epistle to Arbuthnot*, John, Lord Hervey (1696–1743) nonetheless had what Harley did not: access to power. For by the early 1730s, he was a member of the Privy Council, Queen Caroline’s closest confidant and Robert Walpole’s unswerving ally.⁴⁰ And Middleton pursued him with a vigour and persistency that, even by the standards of the day, seemed unctuous. “It is a singular pleasure to me & I embrace it as a lucky omen, that the first Letter your Lordship has honoured me with, should furnish a subject of writing of all the most agreeable, that of congratulating with your Lordship on your advancement in honour; & I easily foresee by the short acquaintance I have had with your Lordship that I shall oft be called upon hereafter to pay the same duty,” he gushed in his first letter to Hervey.⁴¹ Things got only slightly less saccharine thereafter.

How Middleton came to know Hervey is unclear. Perhaps they met during Hervey’s own undergraduate days at Cambridge; perhaps they got acquainted during one of the times Hervey stopped through town on his way to his Suffolk estate of Ickworth; or perhaps Hervey was one of the many who frequented Middleton’s house near Gonville & Caius.⁴² Whatever the origins of their friendship may have been, the correspondence between them began in earnest

38 See, for instance, Churton, *Letters*, 21: Waterland to Pearce, 9 January 1732; Westminster Abbey Library and Muniment Room [hereafter: WAM], Muniment 64779: William Warburton to Pearce, 4 March 1731; [Pearce], *A reply to the defence*, 61; Anonymous, *Reflections on the letter to Dr. Waterland*, 3–5; Underhill, *Celsus triumphatus*, 4–7.

39 Suffolk Record Office [hereafter: SRO], 941/48/8: Middleton to Hervey, 18 August 1734.

40 Robert Halsband, *Lord Hervey, Eighteenth-Century Courtier* (Oxford, 1974) and Reed Browning, *Political and Constitutional Ideas of the Court Whigs* (Baton Rouge, LA, 1982), 35–66 are the best introductions to Hervey and his thought. See also, Stephen Taylor and Hannah Smith, ‘Haphaestion and Alexander: Lord Hervey, Frederick, prince of Wales, and the Royal Favourite in England in the 1730s’, *English Historical Review* 124:507 (2009), 283–312.

41 SRO, MS 941/47/8: Middleton to Hervey, 14 June 1733.

42 See, for instance, Francis Kilvert (ed.), *A Selection of the Unpublished Papers of . . . William Warburton* (1841), 154–155; Thomas Blackwell to William Warburton, 25 June 1736; Edmund Grosse (ed.), *The Works of Thomas Gray* (New York, 1885), I, 199: Gray to Thomas Wharton, 9 August 1750.

during the summer of 1733, just as Middleton's friendship with Harley was in its death-throes. At the time, Middleton was a fifty-year-old university professor and librarian. All agreed he was clever, too clever to have risen so low. Hervey, Middleton hoped, might change his fortunes in a way Harley had been unable. In Middleton, Hervey got a sympathetic confidant as well as someone who allowed him to keep a foot in the world of scholarship. For Hervey was a cultured man, one with some felicity in both Latin and French and someone who fancied himself more than a polemicist on behalf of the Walpolean regime. In Middleton, he had a client who was learned but no pedant, someone who had been abroad, who was cultured and urbane. But the Middleton whom Hervey took on as a client was also a man conflicted. On the one hand, Middleton constantly sought after ecclesiastical preferment, while on the other, he relentlessly disparaged the established Church's clerical leaders. For example, in late 1733, less than a week after the death of Samuel Harris, the regius professor of modern history, Middleton explained to Hervey that he had been "told at the same time by my friends, that the University in general point me out for the Successor."⁴³ Though Hervey lobbied both Robert Walpole and Queen Caroline, he could not prevent the non-entity Shallet Turner from obtaining the position, leaving a dejected Middleton to bemoan, "All the revenge I now meditate, for the perverseness, I have met with, is to double my diligence in the pursuit of virtue, & knowledge, & as far as I am able, to leave upon the World the reproach of treating me worse, than I deserved."⁴⁴ His work on Cicero will be the fruit of these efforts.

But it cannot be denied that Middleton combined with his "pursuit of virtue and knowledge" the relentless pursuit of preferment. This proved to be uniformly unsuccessful, and the taint of the controversy with Waterland followed him everywhere. For example the Charterhouse mastership went not to Middleton but to an avowed Arian, Nicholas Mann. When making the rounds of the Charterhouse governors to thank them for choosing him, Mann purportedly said to John Potter, the archbishop of Canterbury: "I suppose your Grace knows that you have made choice of an Arian." Potter's retort? "An Arian

43 SRO, 941/47/8: Middleton to Hervey, 26 December 1733.

44 SRO, 941/47/8: Middleton to Hervey, 31 January 1734. Turner (c. 1693–1762), a fellow of Peterhouse, seemed to have had the backing of Thomas Townshend and of Sir Henry Lidell, whom Turner had led on his grand tour. Turned proved to be a singularly undistinguished regius professor: D. A. Winstanley, *Unreformed Cambridge* (Cambridge, 1935), 156–157.

perhaps may be better than a Deist.”⁴⁵ Such was Middleton’s reputation by the late 1730s. Serial career disappointments only deepened Middleton’s anticlericalism, already a hallmark of his earliest exchanges with Hervey. From its outset, the correspondence with Hervey took on a different tone than had been the case in his with Harley. Hervey’s own views on the established Church of England were decidedly dim, and Middleton played up anticlerical themes in his own responses “[I]t is my misfortune to have had so early a taste of Pagan sense, as to make me very squeamish in my Christian studies,” he confided to Hervey early on in their friendship, while a year later he complained: “Sunday is my only day of rest, but not of liberty; for I am bound to a double attendance at Church, to wipe off the Stain of Infidelity. When I have recovered my credit, in which I make daily progress, I may use more freedom.”⁴⁶ Nothing like this ever appeared in any Middleton letter to Harley. Why? For one thing, Middleton clearly was becoming increasingly embittered with the orthodox in the wake of the *Letter to Dr. Waterland* controversy. “In primitive times Hereticks were delivered over to Satan to be buffeted; but our Orthodox now take that province to themselves; as if they were as good at buffeting as he,” he inveighed.⁴⁷ In particular, he took umbrage with the episcopate. “For our modern Bishops I think all you say of them but too true; & can never hold it good Policy in any Government to vest any set of men with more Power than is necessary to serve that Government; since the Moment it passes that Bound, it generally grows to the full as troublesome as the Disorder it was first employ’d to regulate’, he groused to Hervey at one point, while a few months later, he contended that ‘the Bench . . . makes politics not principle the rule of conduct.’⁴⁸ In addition to venting his own spleen to Hervey with these anticlerical pronouncements, Middleton was, like most clients, mimicking the views of his patron.⁴⁹ Most successful clients had a bit of the chameleon in them. But despite Hervey’s own anticlerical inclinations, he strongly counseled Middleton to avoid writing publicly about contentious religious subjects. It was at this stage that Middleton hit upon the idea of writing yet another letter to Daniel Waterland. Hervey advised his client: “I heartily wish your Pen & Learning, capable of any Work, was employed in one, less dangerous to your-self & more entertaining to your Readers; & that you would leave the Discussion of that clouded

45 Thomas Newton, *The works of . . . Thomas Newton* (1782: To53426), 1, 20–21; [Nicholas Mann], *Critical notes on some passages of scripture* (1747: To34423).

46 SRO, 941/47/8: Middleton to Hervey, 31 July 1733, 18 August 1734.

47 Ibid.: Middleton to Hervey, 19 September 1733.

48 Ibid.: Middleton to Hervey, [March] 1734, 18 August 1734.

49 See, for instance, SRO, 941/47/7, ff. 9–12: Hervey to Middleton, 6 September 1733.

Subject to your clouded Antagonist, who could never be a match for you in a Dispute where your Hands are untied, & fights at too great an Advantage in one where every blow you give that will hurt him as an Author may, by recoiling, wound you as a Divine.”⁵⁰ For his own part, Middleton claimed to want to avoid controversy, and, indeed, researched and wrote up a short dissertation on printing, one which proved that William Caxton had established the first printing press in England. Lest Hervey worry that his client was “sadly employed in turning over such rubbish” in producing such a recondite pamphlet, Middleton reassured him that “it is just the reverse in the learned of what it is in the active world: the more obscure and trifling our pursuits are, the greater fame of learning is acquired by tempting them; & a few more performance of this kind may raise me to a rank of glory with the Great [Thomas] Hearne of Oxford.”⁵¹ Similarly, Middleton used his Woodwardian lectures “to demonstrate the reality of a Universal deluge from the prof of Woodward’s Cockle Shells,” an argument which might, in theory at least, have earned him orthodox approbation.⁵² Yet despite these attempts to avoid writing pieces of polemical divinity, Middleton nevertheless produced in manuscript a string of deeply anticlerical, unmistakably heterodox pieces, nearly all of which Hervey managed to convince him not to print. Despite Middleton’s assurances that his second go at Waterland was “formed on a plan truly Theological, & such as may be espoused by the most Orthodox of the Clergy,” Hervey initially attempted to persuade him not to proceed with the project, but to engage in more suitable and less dangerous literary pursuits.⁵³ Nevertheless, Hervey showed the piece to Benjamin Hoadly, a particular *bête noir* of the orthodox, and forwarded his own lengthy suggestions for improving the text. Indeed, he became sufficiently satisfied with Middleton’s renewed attack on Waterland that he would eventually *encourage* publication. “I should be very sorry after all the Pains you have taken with what I had the Pleasure of reading, that you should deny yourself the Credit & the World the Benefit of making it public; especially since you have taken care to guard it from any attacks your Enemies might be glad to

50 SRO, 941/47/7, ff. 37–38: Hervey to Middleton, 28 September 1734.

51 SRO, 941/47/8: Middleton to Hervey, 18 August, 24 October 1734; Conyers Middleton, *A dissertation upon the origin of printing in England* (1735: T014359). SRO, 941/47/7: Hervey to Middleton, 21 November 1734: ‘I had almost forgot to tell you how glad I am to hear you have written something upon any Subject but Religion’.

52 SRO, 941/47/8: Middleton to Hervey, 31 July, 25 August 1733.

53 SRO, 941/47/8: Middleton to Hervey, 22 September 1734; SRO, 941/47/7, ff. 37–38: Hervey to Middleton, 28 September 1734.

make upon it on the side of Heterodoxy; & that I know, whatever you write, is invulnerable to any other Weapon of Criticism,” he reassured Middleton. “I therefore hope you will forward this Paper immediately to the Press.”⁵⁴ This was at variance with all else that Hervey had advised Middleton and, in the end, his client decided that discretion was the better part of valor and turned his near full attention to a project which Hervey had even more strongly prodded him to pursue, a life of Cicero.

3

Marcus Tullius Cicero (106–43 B.C.), or ‘Tully’ as he was more commonly known during the eighteenth century, was a much-appropriated figure. Freethinkers like John Toland and Anthony Collins found in him a kindred spirit, while others, like Herbert of Cherbury and Samuel Clarke, employed him as a tool against Hobbesian materialism.⁵⁵ Increasingly, opposition Whigs found Cicero’s political vision an increasingly useful one to counter-balance the Catonic vision of the oppositional Whigs and the 1720s and 1730s saw attempts to cast Walpole as a responsible Ciceronian leader.⁵⁶ For Middleton’s part, Cicero had been the gold standard in his debates with Waterland regarding how to weight testimony and authority when interpreting evidence from Christian history.⁵⁷ In the immediate aftermath of the *Letter to Dr. Waterland* controversy, Middleton dove more and more into reading ancient Greek and Latin authors, “& Tully the Favourite above all; whose works are a treasure of all the knowledge & learning of those who lived before him. These are the companions I delight to converse with,” he wrote to Hervey in the summer of 1733.⁵⁸ By November 1734, he had decided to take up his new patron’s advice and write up a life of Cicero,

54 SRO, 941/47/7: Hervey to Middleton, 3 December 1734. See also, *ibid*: same to same, 15 October 1734, 19 November 1734.

55 Justin Champion, *Republican learning: John Toland and the crisis of Christian culture, 1696–1722* (Manchester, 2003), esp. 51, 105, 110, 145–146, 158, 173, 175, 178, 191, 222; *idem*, *Pillars of Priestcraft Shaken: The Church of England and its Enemies, 1660–1730* (Cambridge, 1992), esp. 183–186; Günter Gawlick, ‘Cicero and the Enlightenment’, *SVEC* 25 (1965), 657–682; Fox, ‘Cicero during the Enlightenment’, 318–336.

56 Reed Browning, *Political and Constitutional Ideas of the Court Whigs* (Baton Rouge, 1982), esp. 210–227; Addison Ward, ‘The Tory View of Roman History’, *Studies in English Literature, 1500–1900* 4:3 (1964), 413–456.

57 [Middleton], *Defence of the letter*, 13; [*idem*], *Some remarks*, 15–16.

58 SRO, 941/47/8: Middleton to Hervey, 31 July 1733.

news which pleased Hervey to hear.⁵⁹ Little did either Middleton or Hervey know that the life would not appear for another seven years.

In the intervening period, Hervey actively assisted his new client in producing the work. Organization was the first problem, for Middleton soon discovered that the material for the project seemed to expand exponentially. Two years into research and writing, he reported to Hervey that the book “swells greatly under my hands, & I am continually enlarging it, by introducing all such Letters & Speeches, as give the best idea of the man, as well as of the other Great ones of those time.”⁶⁰ By the fall of 1738, Middleton had completed the first section of what he projected would be an 800-page book in quarto.⁶¹ By publication, the work had grown by another 50%. Part of what helped to expand the work was Middleton’s own insistence on long quotations from Cicero’s letters and orations, on the view that Cicero’s “own words would be more affecting to a reader, than any abstract of the substance of them from another hand.” Hervey himself did nothing to stem the expansion, insisting that his client should add an introductory “Exordium of the whole” in which he surveyed the Rome of Cicero’s time, “with a little Deduction of the various transitions by which the Empire fell into that opulent, corrupt, fractious, formidable, & powerful situation in which your Hero found it.” Most importantly, reckoned Hervey—surely with an eye to present English politics—Middleton needed to highlight the “conversion of a free Government into a despotic one.”⁶² All of these additions swelled the work, so that when it appeared in print in 1741, it ran to 1,200 pages in two quarto volumes, 1,300 pages in three octavo ones.

The capacious scope of Middleton’s plan helped to account for the seven years that it took him to produce his life of Cicero, but so too did the continuing allure of polemical divinity, precisely the thing from which Hervey had sought to divert him. When Richard Challoner’s *Catholic Christian* appeared in 1737, for instance, Middleton felt compelled to respond, since Challoner’s preface had dealt specifically with the *Letter from Rome*. “[S]ome friends have advised me to answer it, for the sake of healing my character with the Bishops,” he ventured to Hervey, before concluding disingenuously, “but I am loth to be drawn away from my present task, especially into a religious war; & to fight for a Church, which treats me as a rebel.”⁶³ Hervey responded unambiguously:

59 Ibid.: Middleton to Hervey, 28 November 1734; Hervey to Middleton, 3 December 1734.

60 BL, Add. MS 32458, f. 19: Middleton to Hervey, 25 December 1737.

61 Ibid., f. 53: Middleton to Hervey, 9 November 1738.

62 Ibid., f. 60: Hervey to Middleton, 11 November 1738.

63 BL, Add. MS 32458, f. 21: Middleton to Hervey, 29 January 1738.

"I am against you meddling with the Church Dispute, because it will be read chiefly by churchmen, whom you can not oblige." Better, instead, it was to "[p]ursue & finish the classical work you are about, which will be read by every Body."⁶⁴ Middleton ended up heeding his patron's advice on this matter and refrained from entering into any print controversies over religious matters until after his Cicero project was completed. Even so, his work on Cicero was, by his own admission, slowed on account of his concerted study of William Warburton's *Divine Legation of Moses* during the late winter and spring of 1738.⁶⁵ Hervey took it upon himself to hector Middleton back onto task during fallow stretches like these.

Yet the greatest assistance that Hervey gave to Middleton in the Cicero project was in getting the work itself published. Even after Middleton had embarked upon the project, he could not settle on the method of publication. Perhaps surprisingly, the Society for the Encouragement of Learning, an organization with a decidedly orthodox disposition, tried to convince Middleton to publish the volume under its auspices.⁶⁶ As it turned out Middleton decided instead to publish by subscription, a method that removed the uncertainty of relying solely upon sales yet one that, if the list of subscribers was large enough, could still enrich an author.⁶⁷ For a time, he thought about going with the Cambridge publisher William Thurlbourn because, he reasoned, Cambridge would "be most convenient to me . . . [because] we have a Syndicate on Foot to regulate the Press, and bring it again into Credit and Order."⁶⁸ When the time came actually to choose upon a publisher, though, Middleton decided to have the London bookseller Richard Manby produce his book.

64 Ibid., f. 24: Hervey to Middleton, 4 February 1738.

65 TCC, R.1.88, f. 15: Middleton to Thomas Townshend, 23 April 1738; BL, Add. MS 32458, f. 39: Middleton to Hervey, 23 April 1738.

66 BL, Add. MS 32457, f. 118: Middleton to William Warburton, 31 March 1737; LA, 90–92: Alexander Gordon to William Richardson, 8 December 1736. For background on the Society, see Clayton Atto, 'The Society for the Encouragement of Learning', *The Library: Fourth Series* 19:3 (1938), 263–288.

67 On eighteenth-century subscription, see David McKitterick, *A History of Cambridge University Press. Volume 2: Scholarship and Commerce, 1698–1872* (Cambridge, 1998), 151–164; Hugh Amory, 'Virtual Readers: The Subscribers to Fielding's "Miscellanies" (1743)', *Studies in Bibliography* 48 (1995), 94–112; W. A. Speck, 'Politicians, peers and publication by subscription, 1700–50', in *Books and their Readers in Eighteenth-Century England*, ed. Isabel Rivers (Leicester, 1982), 47–68; P.J. Wallis, 'Book Subscription Lists', *The Library: Fifth Series* 29:3 (1974), 255–286.

68 MWC, 11, 477: Middleton to Warburton, 18 November 1738.

The chief task to which an author publishing by subscription had to attend was lining up subscribers. Without them, any project would be stillborn. This hurdle Middleton sailed easily over, his life of Cicero becoming one of only a handful of books during the eighteenth century to amass over 1,000 subscribers; in Middleton's case, 1,803 people or institutions subscribed to the Manby's edition of his life of Cicero, while another 186 subscribed to the Irish octavo edition of the book.⁶⁹ Two advantages helped Middleton to recruit so many subscribers. Firstly, his prominence and long history within Cambridge helped his subscription campaign, as it allowed him to tap not only into the university community but also into the wider, national family, patronage and other informal networks to which the members of that university community belonged.⁷⁰ So, for instance, 200 of Middleton's subscribers were clerics of one rank or another, most of them with Cambridge connections; even more—more than 700 subscribers—were lawyers, many of them who also had spent time at the university. Secondly, Middleton had both Lord Hervey and Thomas Townshend actively recruiting subscribers for the work. From the moment Middleton decided to publish by subscription, Hervey promised his aid.⁷¹ And from thenceforth, he doggedly lined up subscribers, he advised about how to pitch the printed subscription proposals and to price the various-sized editions and he collected subscription money. Middleton's dedicatory preface to Hervey in his life of Cicero would later be mocked for its praise, hyperbolic and obsequious even by eighteenth century standards. Yet he surely recognized that the project came to fruition thanks largely to Hervey's assistance. Thomas Townshend likewise leant a hand to the subscription campaign, helping to drum up subscribers in both England and Ireland, where he served as secretary to the lord lieutenant. By late March 1739, Middleton marveled at "what I may literally call a Royal list of Subscribers," and he did not exaggerate.⁷² The final list of subscribers included six members of the royal family, dozens of the nobility and, perhaps surprisingly in Middleton's case, more than half of the episcopal bench. And among those bishops who did not subscribe, only one—Edmund Gibson—looks likely to have done so out of conviction. Otherwise, even some of Middleton's most inveterate critics—Thomas

69 See also, Wallis, 'Book Subscription Lists', 275–276; F. J. G. Robinson and P. J. Wallis, *Book Subscription Lists: A Revised Guide* (Newcastle, 1975), 23.

70 McKitterick, *History of Cambridge University Press. Volume 2*, 154.

71 BL, Add. MS 32458, f. 49: Hervey to Middleton, 29 August 1738.

72 BL, Add. MS 32458, f. 98: Middleton to Hervey, 25 March 1739. Other contemporaries similarly marveled at the Middleton's subscriber list: BL, Add. MS 6210, f. 161: Samuel Knight to John Ward, 19 December 1739.

Sherlock and Archbishop John Potter, for instance—subscribed to his Cicero project.

By the spring of 1739, they and many other subscribers were hoping to get their promised volumes. Hervey himself found that “People are very impatient to have the Book come out” and he was disappointed that Middleton had not finished up the project by then.⁷³ Part of the not-finishing could be put down to a slow author, one who did not submit the book to press until October 1739, nearly five years after he had first begun to write on it.⁷⁴ But a year and a quarter’s delay had to do with something entirely beyond Middleton’s control: scarcity of paper.⁷⁵ Hervey had insisted that given the subscribers’ list, a project of this sort had to be produced to the highest standards. The problem was that the paper for it was not always readily available. By April 1740, the indexing was done, but the publisher had to wait for paper to arrive before he could finish printing the book. Things had not got any better three months later, when Middleton lamented to Warburton that the “impression of Tully is at a full stop for want of Genoa paper; with which we unluckily set out, without knowing what a scanty stock of it there was in England; a fresh cargo, that lately arrived, did not prove good enough, but we expect better every day.” In the event the new shipment was not up to quality, though, “we have ordered some to be made at home of the same quality, as near as possible, and if that answers our purpose shall shortly be at work again, and depend still on publishing some time before Christmas.”⁷⁶ By September, Manby the bookseller had received “a stock of paper at last from Genoa, sufficient for finishing the first volume, & have provided a quantity also of our own manufacture, which is the better of the two, for carrying on the second Volume at the same time.” Middleton still hoped, then, that “we may be able still to publish both the volumes before Christmas.”⁷⁷ Hervey again implored him to finish it up quickly, “for however just the Excuse might have been, I fear no Excuse for a new delay would have been very well received by your Subscribers; & as the month of February will be a time when the Busyness of Parliament will be pretty well over & the

73 BL, Add. MS 32458, f. 111: Hervey to Middleton, 14 April 1739.

74 BL, Add. MS 32457, ff. 143–144: Middleton to Warburton, 27 October 1739.

75 For background, see John Bidwell, ‘The industrialization of the paper trade’, in *The Cambridge History of the Book. Volume v, 1695–1830*, eds. Michael F. Suarez and Michael L. Turner (Cambridge, 2009), 200–217.

76 BL, Add. MS 32458, ff. 147: Middleton to Hervey, 27 April 1740; BL, Add. MS 32457, f. 145: Middleton to Warburton, 19 July 1740; TCC, MS R.1.88, f. 41: Middleton to Townshend, 29 July 1740.

77 BL, Add. MS 32458, f. 164: Middleton to Hervey, 4 September 1740.

Busyness of Elections not begun it will be the best month for your book to make its Appearance.”⁷⁸ This was a deadline that Middleton and Manby could meet and the volumes finally appeared in print in mid-February 1741.

Their publication proved to be an enormous success for Middleton, going through several editions, being translated into both French and Spanish, and allowing him to purchase a farm in Hildersham, ten miles out from Cambridge. It was, he assured Hervey, “the pleasantest spot of the whole County . . . Here I hope to enjoy a quiet & philosophical old age, neither meditating hurt to others, nor fearing any to myself, & without any concern for what the busy or ambitious part of the world may be projecting.”⁷⁹ These plans notwithstanding, Middleton clearly hoped that Hervey would be right and that his life of Cicero would win him a reprieve from the orthodox and re-open the path to ecclesiastical preferment commensurate with his talents. It did not, however, and he was forced to take on a few private pupils, one of whose father, Sir John Frederick, presented him to the rectory of Hanscomb, Surrey, a living into which Benjamin Hoadly instituted him.⁸⁰ That, though, was not what either Middleton or Hervey had sought in 1735, when he began his work on Cicero: he sought rehabilitation and the plum ecclesiastical preferment that would certainly attend that rehabilitation. Those hopes proved unfulfilled, and, struck by that failure, he dove back into polemical divinity, even before Hervey’s death in August 1743, producing in the last years of his life works more troubling to his contemporaries than anything he had hitherto published.

Despite his life of Cicero, Middleton found that two barriers blocked his path to rehabilitation. To begin with, despite his attempt to use his life of Cicero as a vehicle for personal and professional redemption, it contained material that would have rubbed up the orthodox the wrong way. Middleton’s take on Cicero’s philosophical and religious positions, for instance, contained within it a not very subtle commentary on eighteenth-century English intellectual life. There were in Cicero’s Rome, three main philosophical “sects”: the Stoics, the Epicureans and the Academics. The Stoics, of whom Cato was emblematic, sounded much like the eighteenth-century orthodox. As described by

78 Ibid., 174: Hervey to Middleton, 27 December 1740.

79 Ibid., f. 129: Middleton to Hervey, 21 October 1739. See also, TCC, MS R.1.88, f. 40: Middleton to Townshend, 21 October 1739. Despite unfounded accusations during the 1780s that Middleton had plagiarized from William Bellenden’s *De Tribus Luminibus Romanorum* (1634), editions of Middleton’s life of Cicero were produced in England until the mid nineteenth century: Trevor-Roper, ‘From Deism to History’, 99–100; M. L. Clarke, ‘Conyers Middleton’s Alleged Plagiarism’, *Notes & Queries* 301 (1983), 44–46.

80 LPL, MS CM 25/2: Deed of institution for Conyers Middleton, 1747.

Middleton, they “were the bigots or enthusiasts in philosophy; who held none to be truly wise or good but themselves; placed perfect happiness in virtue, though stript of every other good; affirmed all sins to be equal; all deviations from right equally wicked; . . . that a wise man could never forgive; never be moved by anger, favor or pity; never be deceived; never repent; never change his mind.”⁸¹ At the other end of the philosophical spectrum in Cicero’s Rome stood the Epicureans, of whom Atticus was the quintessence. On Middleton’s telling, the Epicureans came off like the ancient analogue to modern freethinking materialists, for they “held pleasure to be the chief good of man; death the extinction of his being; and placed their happiness consequently in the secure enjoyment of a pleasurable life: esteeming virtue on no other account, than as it was a handmaid to pleasure; and helped to ensure the possession of it, by preserving health and conciliating friends.” Perhaps even more troublingly, the typical Epicurean, following the logic of his materialism (see chapter 13), believed that he “had no other duty, but to provide for his own ease; to decline all struggles; to retire from public affairs; and to imitate the life of their Gods; by passing his days in a calm, contemplative, undisturbed repose; in the midst of rural shades and pleasant gardens.”⁸² The Academics, by contrast, offered a “middle way” between the Stoics and the Epicureans. For they rejected both the dogmatism of the Stoics—who “embraced all their doctrines, as so many fix’d and immutable truths”—and the radical scepticism of the Epicureans—who “observed a perfect neutrality towards all opinions; maintaining all of them to be equally uncertain.” Instead, the Academics tried to get towards the truth by distinguishing between what was “probable” and “improbable.” In this way, they “kept the balance in an equal pose between the two extremes; making it their general principle, to observe a moderation in all their opinions.”⁸³ It is easy to see why Middleton identified with Cicero’s position.

To Middleton, Cicero was the quintessential Academic philosopher, one who adopted his metaphysical positions based on their probability.⁸⁴ Middleton had long admired Cicero’s standards for evaluating evidence.

81 Conyers Middleton, *The history of the life of Marcus Tullius Cicero* (1741: T125479), III, 360. For Middleton’s work on Cicero as part of an anti-Catonic political program, see Browning, *Political and Constitutional Ideas*, 211–227.

82 *Ibid.*, 362.

83 *Ibid.*, 331–332.

84 On probability, see Lorraine Daston, *Classical Probability in the Enlightenment* (Princeton, 1995), esp. 306–342; idem, ‘Probability and Evidence’, in *The Cambridge History of Seventeenth-Century Philosophy*, eds. Daniel Garber et. al (Cambridge, 1998), II, 1108–1144; R. W. Serjeantson, ‘Proof and Persuasion’, in *Early Modern Science*, eds. Katharine Park and Lorraine Daston (Cambridge, 2006), 132–175.

During the Waterland controversy, he had praised Cicero for asserting "that our belief or opinion of things out not to depend on Testimony or Authority, but on the weight and moment of Reasons" and for declaring: "it unworthy of a Philosopher or Man of Sense to appeal to such Witnesses as may be suspected of having falsified, or feigned the Facts they relate: and to shew the argument of things by extraordinary Events instead of Arguments."⁸⁵ Middleton fleshed out this line of argument in his life of Cicero and detailed the philosopher's religious views. These included belief in both general and particular providence, the soul's immortality and a future state of rewards and punishments, none of which were the positions of a modern freethinker, but all of which could easily have been espoused by any orthodox churchman. Yet, there was a rub, for Cicero held those positions "as probable only, and not certain: and as probability implies some mixture of doubt, and admits the degrees of more and less, so it admits also some variety into the stability of our persuasion."⁸⁶ And if Cicero held them only as probabilities, did Middleton, his biographer, also hold them only probably to be true? There was nothing in the text of his life of Cicero which did anything to counter such potential objections.

Yet even if Middleton's life of Cicero had been a model of orthodoxy, he still faced the implacable and, as it turned out, insuperable opposition of another powerful ecclesiastical figure, John Potter, the archbishop of Canterbury. Shortly after Potter had taken up his new post in 1737, Middleton had complained to William Warburton about the support which the new archbishop gave to William Webster and Richard Venn, who used the pages of Webster's hyper-orthodox *Weekly Miscellany* to attack the heterodox. Middleton also worried a few years later that Potter had recommended Webster's *Weekly Miscellany* during his primary visitation to Canterbury.⁸⁷ Nonetheless, as he was winding down his Cicero project, Middleton travelled to Lambeth Palace in June 1739 to try to make amends with Potter. Their "conference," he noted tersely, "ended in no great satisfaction to either side," with the archbishop still holding Middleton's anti-Waterland pieces against him.⁸⁸ Unable to hold a second meeting with Potter in June, Middleton conferred with the archbishop's domestic chaplain "& shewed him several passage from the book, which would enable me to make a better defence of it, than His Grace seemed disposed to

85 Middleton, *A defence of the letter*, 13.

86 Middleton, *Cicero*, III, 356.

87 E. Carlyle, 'William Webster (1689–1758)', rev. S. Skedd, *ODNB*; Michael Harris, *London Newspapers in the Age of Walpole* (1987), 55, 71, 183–184; BL, Add. MS 32457, f. 116: Middleton to Warburton, 14 March 1737; *MWCM*, II, 479: Middleton to Warburton, 4 September 1739.

88 BL, Add. MS 32457, f. 138: Middleton to Warburton, 6 June 1739.

allow.”⁸⁹ That overture likewise failed, so that Middleton was forced to think again about how best to convince Potter of his theological inoffensiveness. In early October 1740, he set upon writing a long exculpatory letter, a course of action to which Hervey assented, acknowledging that “softening [Potter] would certainly be an advantage” to Middleton while nonetheless cautioning that “in general I do not take [the archbishop’s] opinions or Prejudices to be of a very waxen make.”⁹⁰

Middleton included in that letter to Potter an admission of error and a defence of his *Letter to Dr. Waterland*. Middleton recognized clearly that archbishop held a deep prejudice against him, since during their initial conference at Lambeth, Potter kept referring back to Middleton’s earlier anti-Waterland works, works which Middleton “was in hopes that they had been forgotten by every body.”⁹¹ Potter, though, had certainly not forgot them, and, indeed, had “insisted with relation to them . . . that there was nothing contained in them, from which one could infer the author’s belief of the Christian religion.” In the face of this archiepiscopal criticism, Middleton conceded that he had, in those anti-Waterland pieces, been guilty of handling “some things of great importance . . . with a levity & wantonness of raillery, which may justly be thought indecent, & unbecoming the gravity of the subject.” More importantly, he argued that his subsequent silence amounted to a retraction of his former views. It should be remembered, he explained to Potter, “that ten years are now past, since those books were published, during all which interval, the author, by dropping the pursuit of those principles in effect tacitly retracted them, & shewn a desire to be reconciled to those; whom he had offended, as far as it could be done without injury to his character; that is, without taking to himself a shame & guilt; from which he knows himself to be free, of a wilful design to weaken the authority either of the Jewish or the Christian religion.” Middleton was willing, in other words, to concede defeat, but only if he could surrender in a way that allowed him to save at least some face publicly.

While acknowledging his errors to Potter, Middleton also defended his *Letter to Dr. Waterland*, in much the same ways that he had previously. His *Letter*, he explained, attempted to make “an argument of a positive kind” against natural religion shorn of revelation, an argument “for a more effectual defence of revelation; than what had been offered by our other Apologists.” That positive

89 TCC, MS R.1.88, f. 33: Middleton to Townshend, 19 June 1739.

90 BL, Add. MS 32458, f. 168: Hervey to Middleton, 20 September 1740. See also, *ibid.*, f. 165, 166: Hervey to Middleton, 9 September 1740; Middleton to Hervey, 16 September 1740.

91 Unless otherwise noted, all quotations in this paragraph and the next are drawn from BL, Add. MS 32457, ff. 155–158: Middleton to Potter [October] 1740.

argument, he furthermore insisted, was better suited to rebut the “scepticism” which he reckoned was “the peculiar character of this age.” And lest anyone question the force of Middleton’s argument, who could deny that “the Deists have never been able to make any reply’ to it?” Moreover, Middleton continued, his arguments—especially those regarding allegory and the divine inspiration of the Scriptures—were consistent with arguments proffered by the primitive fathers. But, in the end, he held that what any primitive father thought was not dispositive, as became clear from Middleton’s own synopsis of the distinction between “our religion itself” and, contrariwise, “the history or tradition of it, by which it has been handed down to us.” On the one hand, he insisted upon his orthodox *bona fides*.

I look upon our religion as a wonderful scheme of the divine wisdom & goodness, proposed & revealed in a miraculous manner, & at different times, as the exigencies of man required, from the beginning of the world, to the coming of Christ; in order to secure us that happiness, for which we were originally created, by marking out the true road to it, & setting us right again, whenever we had lost it. I hold the substance of these revelations to be recorded in the Holy Scriptures so far as to make us wise unto Salvation; or to enable us to attain all the happiness both in this life & the next, or which our nature is capable, & am persuaded, that those sacred books carry with them such intrinsic proofs of their veracity & divine authority, as cannot reasonably be contradicted . . .

At the same time, though, he qualified his putative orthodoxy in a way bound to disconcert his polemical opponents:

... but when all this is affirmed & believed, I do not see the necessity of maintaining every individual book, or narration of the Old & New Testament to be absolutely inspired, or dictated by God; which, instead of adding any new strength to our faith, would tend rather to distract it, by subjecting us to a multiplicity of questions, from which it might be difficult to extricate ourselves. But as these are point of a very important & delicate nature, so I am sensible, that it will always be imprudent, to make them the subject of a public controversy, & have never formed any settled opinion about them, without some distrust of my own judgment.

The problem for Middleton was that where he saw probability, his orthodox opponents saw certainty; where he wrote to rebut ‘scepticism’, his orthodox

opponents saw his work as aiding and abetting the sceptical cause. For the orthodox and Middleton, the twain would not, could not, meet.

Not long after Middleton had sent his letter to Potter, Hervey reported that he and Thomas Gooch, the bishop of Ely, had met together and had “talked a great deal of you, & we both resolv’d occasion in the House of Lords this Winter to take opportunities of softening the Archbishop upon your Chapter, & make him at least a neutral Power if we could get him no farther.”⁹² Their efforts proved useless in the face of “the stern Inflexibility of the Archbishop,” who they nevertheless hoped would look upon Middleton’s recently-published life of Cicero “as a Propitiation for your former sins, which were so like what he tells us was the original sins of our first Parents.”⁹³ Perhaps worse still, news of Middleton’s supplicating letter began to circulate around Cambridge, after Potter showed it to a Cambridge fellow, who subsequently communicated its contents to others in the university.⁹⁴ Stung by Potter’s refusal to budge, Middleton was left to grouse about “the dull bigotry of the . . . Archbishop.”⁹⁵ More importantly, he would re-enter the arena of polemical divinity after nearly a decade’s self-imposed exile, soon producing the accounts of the miracles of the late primitive Church which so inspired Edward Gibbon.

4

If Conyers Middleton presented a labeling problem for his orthodox contemporaries, so too does he present a labeling problem for the contemporary historian. Though a clerical anticlerical, Middleton never saw himself as a ‘deist’, so that highlighting his ‘critical’ or ‘historical deism’ is to shine a light upon the nonexistent.⁹⁶ All Protestants would have agreed with him that the bishop of

92 BL, Add. MS 32458, f. 171: Hervey to Middleton, 13 November 1740.

93 BL, Add. MS 32458, f. 175: Hervey to Middleton, 12 September 1741.

94 *MWCM*, II, 484: Middleton to Warburton, 8 January 1741.

95 BL, Add. MS 4314, f. 24: Middleton to Thomas Birch, 19 November 1747.

96 See, for instance, Wayne Hudson, *Enlightenment and Modernity: The English Deists and Reform* (2009), 61–71; Trevor-Roper, ‘From Deism to History’, 71–119, 286–295; Leslie Stephen, *The History of English Thought in the Eighteenth Century* (1876), 253–273. Norman Torrey, *Voltaire and the English Deists* (New Haven, 1930), 154–174 examines the influence of Middleton’s ‘critical deism’ on Voltaire. Cf. John Robertson, ‘Hugh Trevor-Roper, Intellectual History and “The Religious Origins of the Enlightenment”’, *English Historical Review* 124:511 (2009), 1389–1421; Jan van den Berg, ‘Should Conyers Middleton (1683–1750), Principal Librarian in Cambridge, be Regarded as a Deist?’, *Notes and Queries*

Rome's claims to temporal and spiritual authority were bogus. But the Church of England—like the Church of Rome—had an episcopal ecclesiology: was that too borrowed from pagan Roman practice? Or, at the very least, did English priests conceive of their roles in much the same way as had pagan priests? Was the Church of England, in other words, a proponent not of true religion but of priestcraft?⁹⁷ Middleton had pointedly refused to offer a chronology of Christian corruption in his pre-Waterland *Letter from Rome*, and readers at the time mostly applauded its exposure of Roman Catholic imposture, idolatry and priestcraft.⁹⁸ “I shall not trouble myself with inquiring at what time, and in what manner these several Corruptions were introduced into the Church,” he concluded, “whether they were contrived by the intrigues and Avarice of Priests, who found their Advantage in reviving and propagating Impostures which had been of old so profitable to their Predecessors: or whether the Genius of Rome was so strongly turned to Fanaticism and Superstition that they were forced, in Condescension to the Humour of the People, to accommodate and dress up their new Religion to the Modes and Fopperies of the old one.”⁹⁹ But in the wake of the Waterland controversy, this position raised troubling questions. Had the rot that Middleton had identified in the Church of Rome set in during the first few centuries of the primitive Church? And if so, did that itself not suggest that the Church of England's claims to primitive purity were perversely claims to primitive impurity?

Middleton's later work on the miracles of the primitive Church would reveal more clearly his thinking on the matter, and there is the temptation to read into the conclusion of his life of Cicero Middleton's own sentiments. There Middleton lamented that Cicero's Rome had a deeply flawed—which was to say superstitious and idolatrous—established religion. ‘From what has already

56:2 (2009), 255–257; B. W. Young, ‘Conyers Middleton’, 235–265; idem, *The Victorian Eighteenth Century* (Oxford, 2007), 103–147. If Middleton would have rejected being identified as a *deist*, even more so would he have resisted being labeled a *freethinker*: cf. Jean-Louis Quantin, *The Church of England and Christian Antiquity: The Construction of a Confessional Identity in the Seventeenth Century* (Oxford, 2009), 2, 26, 380, 408.

97 Justin Champion, ‘“My Kingdom is not of this world”: the politics of religion after the Revolution’, in *The English Revolution, c. 1590–1720*, ed. Nicholas Tyacke (Manchester, 2007), 185–202; idem, ‘“To Govern is to Make Subjects Believe”: Anticlericalism, Politics and Power, c. 1680–1717’, in *Anticlericalism in Britain*, 67–92; idem, ‘“Religion's Safe, with Priestcraft is the War”: Augustan Anticlericalism and the Legacy of the English Revolution, 1660–1720’, *European Legacy* 5:4 (2000), 547–561.

98 E.g., Arthur Young, *An historical dissertation on idolatrous corruptions in religion* (1734: T078093), 258.

99 Middleton, *A letter from Rome*, 67–68.

been said, the reader will easily imagine what Cicero's opinion must have been regarding the religion of his country', Middleton reckoned,

for a mind enlightened by the noble principles just stated, could not possibly harbour a thought of the truth or divinity of so absurd a worship; and the liberty, which not only he, but all the old writers take, in ridiculing the characters of their gods, and the fictions of their infernal torments, shews, that there was not a man of liberal education, who did not consider it as an engine of state, or political system; contrived for the uses of government, and to keep the people in order: in this light Cicero always commends it, as a wise institution; singularly adapted to the genius of Rome; and constantly inculcates an adherence to its rites, as the duty of all good citizens.¹⁰⁰

Moreover, Middleton noted not only that Cicero had been misunderstood in his own time.

But after all these glorious sentiments that we have been ascribing to Cicero, and collecting from his writings, some have been apt to consider them as the flourishes rather of his eloquence, than the conclusions of his reason; since, in other parts of his work, he seems to intimate, not only a diffidence, but a disbelief of the immortality of the soul, and a future state of rewards and punishments; and especially in his letters, where he is supposed to declare his mind with the greatest frankness.¹⁰¹

And, in the attached note, after citing six passages that would appear to corroborate the views of the "some" he is professing to combat, Middleton added yet another "N.B.": "By this illustration of Cicero's moral principles, we learn the force of that rule, which he frequently prescribes, of following nature, as the sure and unerring guide of life." Are we to take it that Middleton himself held these heterodox—indeed, heretical—views?

In death, as in life, few knew what to make of Middleton or how to gauge his legacy.¹⁰² Middleton's sometime friend, the idiosyncratically orthodox William Warburton, reflected the uncertainty which most at the time felt. He had been informed that a few days before his death, Middleton had said he could die 'with

¹⁰⁰ 2.428.

¹⁰¹ 2.431–32.

¹⁰² For the various takes on Middleton's sincerity, see Trevor-Roper, 'From Deism to History', 293 fn. 139, 294 f. 174.

that composure of mind' which befit 'a sincere searcher after Truth' and that he only worried that he could not get all he had planned to write into print. For his part, Warburton thought that was all well and good, '[i]f this Truth be, that the Providence of God governs the moral as well as the natural world; and that, in compassion to human distresses, he has revealed his will to mankind, by which we are enabled to get the better of them, by a restoration to his favour'. On the other hand, 'if the Truth discovered be that we have no farther share in God than as we partake of his natural government of the Universe; or that all there is in his moral government is only the natural necessary effects of Virtue and Vice upon human agents here, and that all the pretended Revelations of an hereafter were begot by fools, and hurried up by knaves', then this was surely false comfort. In the end, Warburton could only hope that death would finally bring his old friend some peace. 'All that I hope and wish is, that the Scribblers will let his memory alone: for though (after the approbation of the good and wise) one cannot wish any thing better for one's self, or one's friend, than to be heartily abused by them in this life, because it is as certain a sign of one's merit, as a dog barking at the Moon is of her brightness', he wrote to John Jortin. '[Y]et the veil that Death draws over us is so sacred, that the throwing dirt there has been esteemed at all times, and by all people, a profanation'.¹⁰³ Most of Middleton's contemporary polemical divines were less charitable, reckoning that it was Middleton's works which were themselves the real profanation, a profanation, Middleton might have added, that owed much to his treatment at the hands of some of those very same polemical divines. And yet his monumental life of Cicero was itself as much act of atonement to his orthodox opponents as it was a work of scholarship.

103 *LI*, II, 179–181: Warburton to Jortin, 30 July 1750. See also, *BL*, Add. MS 35397, f. 275: Thomas Birch to Philip Yorke, second earl of Hardwicke, 10 August 1750.

Cicero and the American Founders

Carl J. Richard

Because of his central place in the eighteenth-century American educational system, Cicero was one of the principal oratorical, literary, personal, and political models of the American founders. He was also one of the chief conduits through which the founders received the classical theories of mixed government and natural law that formed the foundations of the U.S. Constitution and the Bill of Rights.

Cicero in American Education

The origins of the eighteenth-century American educational system lie in medieval Europe. The medieval ‘trivium’ (rhetoric, logic, and Latin grammar) and ‘quadrivium’ (arithmetic, music, geometry, and astronomy) continued to dominate Western curricula until the late nineteenth century. Even after the Reformation, Catholics and Protestants shared a common emphasis on the study of Latin literature, especially the works of Cicero, Virgil, and Horace. This system of education was transferred to the English colonies of North America in the seventeenth century and continually transmitted by one generation to the next. The ‘grammar’ in colonial grammar schools referred to Latin grammar, not English; not until after the American Revolution did students begin to study their mother tongue in grammar schools, and even then most educators continued to consider it unworthy of academic attention. While Homer and the Greek New Testament were also staples of classical training, the time allotted to Latin far outweighed that assigned to Greek. Nearly all colleges not only required a facility with the works of Cicero for admission but devoted most of their curricula to expanding students’ knowledge of Latin literature.¹

¹ Robert Middlekauff, “A Persistent Tradition: The Classical Curriculum in Eighteenth-Century New England,” *William and Mary Quarterly*, 3d ser., 18 (January 1961):56, 65; Richard Hofstadter and Wilson Smith, eds., *American Higher Education: A Documentary History* (Chicago: University of Chicago Press, 1961), pp. 120, 141; Sheldon D. Cohen, *A History of Colonial Education, 1607–1776* (New York: John Wiley and Sons, 1974), pp. 11, 22–24; Richard M. Gummere, *The American Colonial Mind and the Classical Tradition: Essays in Comparative*

The founders' classical training frequently began around age eight, whether under the direction of grammar school masters or tutors. As the historian Robert Middlekauff noted: "Since grammar masters knew that colonial colleges required young scholars to display their knowledge of Latin and Greek, they exercised their charges in the classics—and little else." Teachers concentrated on the works from which candidates for college admission were expected to recite, a list that changed little throughout the seventeenth and eighteenth centuries. Such works included the writings of Cicero, Virgil, Homer, and the Greek New Testament. As Noah Webster put it: "The minds of youth are perpetually led to the history of Greece and Rome or to Great Britain; boys are constantly repeating the declamations of Demosthenes and Cicero or debates upon some political question in the British Parliament." Only the poorest areas lacked grammar schools. Massachusetts law required every town to maintain one, though some poor frontier towns failed to comply.²

Grammar school students commonly studied the classics every morning from eight to eleven and every afternoon from one until dark. After memorizing the rules contained in Ezekiel Cheever's *Short Introduction to the Latin Tongue* and translating the Latin dialogues in Marthurius Corderius' *Colloquies*, students generally proceeded to Cicero's *Epistles* and *Orations*.³

College entrance requirements, which remained remarkably stable for almost two hundred years, mandated a basic knowledge of Cicero. When John Winthrop's nephew, George Downing, applied to Harvard in the mid-seventeenth century, he was required to translate a passage from the Roman, as was John Adams a century later in the 1750s. In 1760, when John Jay applied to King's College (now Columbia), he was required to translate three orations of Cicero. In 1774, when Alexander Hamilton chose King's College over the College of New Jersey (now Princeton), the latter required the applicant to translate the Roman, as did Brown University when Horace Mann applied in 1816.⁴

Culture (Cambridge, Mass.: Harvard University Press, 1963), pp. 56–57; Howard Mumford Jones, *Revolution and Romanticism* (Cambridge, Mass.: Harvard University Press, 1974), pp. 121–123, 343.

2 Robert Middlekauff, *Ancients and Axioms: Secondary Education in Eighteenth-Century New England* (New Haven: Yale University Press, 1963), pp. 76–77; Frederick Rudolph, ed., *Essays on Education in the Early American Republic* (Cambridge, Mass.: Harvard University Press, 1965), "On the Education of Youth in America," 1790, p. 65; Cohen, *A History of Colonial Education*, p. 83.

3 Middlekauff, *Ancient and Axioms*, pp. 80–90, 154, 164.

4 Gummere, *American Colonial Mind*, pp. 56–57; Gilbert Chinard, *Honest John Adams* (Boston: Little, Brown, 1933), pp. 11–12; Hofstadter and Smith, *American Higher Education*, Laws and Orders of King's College, 1755, vol. 1, p. 117; James Thomas Flexner, *The Young Hamilton*:

The college curricula were as standardized and classically based as the grammar school curricula and the college entrance examinations. Reflecting a much greater consensus concerning the nature of “useful learning,” colleges offered far fewer electives than universities today. Typical were the curricula of King’s College and the College of New Jersey, both of which emphasized the classical languages three of the four years. While a wider variety of classics were usually taught in college than in grammar school, this was not always the case. For instance, until 1763 classical reading at Harvard was confined almost exclusively to Cicero, Virgil, and the New Testament.⁵

The founders were so steeped in the works of Cicero that they insisted that their sons and grandsons be steeped in them as well. When John Adams went to Paris to help Benjamin Franklin secure the French alliance necessary for the defeat of the British in the Revolutionary War, he brought his sons, John Quincy and Charles, with him. Aboard the ship Adams assisted John Quincy in translating Cicero’s first oration against Catiline, no doubt a nostalgic treat for the statesman. Two years later he insisted that John Quincy continue his study of Cicero’s orations. In 1781, convulsed by the inexplicable fear that John Quincy might be falling behind in his studies at the University of Leyden, he wrote, “I absolutely insist upon it, that you begin upon Demosthenes and Cicero. I will not be put by.” He explained: “In company with Sallust, Cicero, Tacitus, and Livy, you will learn Wisdom and Virtue. You will see them represented with all the Charms which Language and Imagination can exhibit, and Vice and Folly painted in all their Deformity and Horror. You will ever remember that all the End of study is to make you a good Man and a useful Citizen.” The elder Adams devoted his final years to the attempt to secure the construction of a Greek and Latin academy in his home town of Quincy. Similarly, John Marshall, perhaps the most important chief justice of the Supreme Court in American history, recommended that his grandsons read Cicero’s *De officiis*, which he considered “among the most valuable treatises in the Latin language, a salutary discourse on the duties and qualities proper to a republican gentleman.”⁶

A Biography (Boston: Little, Brown, 1978); Forrest McDonald, *Alexander Hamilton: A Biography* (New York: W. W. Norton, 1979), pp. 11–12.

- 5 Hofstadter and Smith, *American Higher Education*, Laws and Orders of King’s College, 1755, vol. 1, p. 120; John Witherspoon’s Account of the College of New Jersey, 1772, vol. 1, p. 141; Chinard, *Honest John Adams*, pp. 13–14, 19.
- 6 L. H. Butterfield, ed., *Adams Family Correspondence* (Cambridge, Mass.: Harvard University Press, 1963), vol. 3, p. xii; John to John Quincy Adams, March 17, 1780, vol. 3, p. 309; May 18, 1781, vol. 4, p. 117; May 29, 1781, vol. 4, p. 144; Zoltan Haraszti, *John Adams and the Prophets of Progress* (Cambridge, Mass.: Harvard University Press, 1952), p. 16; Paul MacKendrick, “This

Cicero as an Oratorical and Literary Model

In his classic manual *De oratore* (55 B.C.) Cicero opposed the rational, concise, and plain Attic style made famous by Pericles' Funeral Oration (as recounted by Thucydides) and by the fourth-century B.C. speeches of Demosthenes against the Macedonian king Philip II. For instance, Cicero stressed the importance of emotion in addresses. Orators must touch the hearts of their audiences. Cicero wrote (2.179): "Men decide far more problems by hate, or love, or lust, or rage, or sorrow, or joy, or hope, or fear, or illusion, or some other inward emotion, than by reality, or authority, or any legal standards, or judicial precedent, or statute." He cited the example of a virtuous Roman named Rutilius, who refused to allow his lawyers to play on the jury's emotions and was condemned to death as a result (1.230): "A man of such quality has been lost through his case being conducted as if the trial had been taking place in that ideal republic of Plato. None of his counselors groaned or shrieked, none was pained at anything, or made any complaint, or invoked the State, or humbled himself. In a word, not one of them stamped a foot during those proceedings, for fear, no doubt, of being reported to the Stoics." Attorneys must use emotion to counter the letter of the law when arguing for its spirit, just as politicians must use emotion to arouse a listless nation in some cases and to curb its impetuosity in others. The orator must comprehend the audience's biases in order to lead them where they were already willing to be led and must model the very emotion he wished to evoke. That emotion must be genuine, of course, and the orator must begin the speech calmly and rationally. But as the oration progressed he must gradually build emotion through rich, diversified language and an animated delivery. For this reason, Cicero also opposed the concision of the Attic style, which hindered the crucial ability to evoke emotion (2.215): "Thus, concise or quiet speakers may inform an arbitrator, but cannot excite him, on which excitement everything depends." As a result, Cicero drafted speeches that were copious and florid without being redundant. While varying his vocabulary, he avoided meaningless synonyms, selecting each word for its peculiar force.

By the early nineteenth century Cicero, aided by his central place in American education and by the increasing romanticism of the age, had clearly prevailed in the field of American political rhetoric, however much Americans might praise the Attic style in theory. While in retirement in the 1810s and 1820s, Thomas Jefferson, who possessed an uncommon command of the Greek language and a style that was profoundly Attic, watched the triumph of

Rich Source of Delight: the Classics and the Founding Fathers," *Classical Journal* 72 (Winter 1972-1973):103.

Ciceronian rhetoric with increasing dismay. Jefferson claimed that the three qualities most essential to republican oratory were simplicity, brevity, and rationality, the very qualities exemplified by the Attic style. Even as a youth, Jefferson had copied into his literary commonplace book this passage on the virtue of simplicity in rhetoric from the fifth-century B.C. dramatist Euripides: "The words of truth are simple, and justice needs no subtle interpretations, for it has a fitness in itself; but the words of injustice, being rotten in themselves, require clever treatment." Now Jefferson wrote: "Amplification is the vice of modern oratory. It is an insult to an assembly of reasonable men, disgusting and revolting instead of persuading. Speeches measured by the hour die by the hour. . . . In a republican nation whose citizens are to be led by reason and persuasion, and not by force, the art of reasoning becomes of the first importance." Thus, Jefferson not only detested the Ciceronian rhetoric then popular in the House of Representatives but also warned that it would undermine the Constitution by exciting such disgust in the people that they would transfer their allegiance from the legislative to the executive branch. In anticipating a revolt of the American people against Ciceronian speeches Jefferson failed to recognize that most Americans, in this age before radio, film, and television, considered long, florid speeches, whether delivered by preachers, politicians, or lawyers, their principal form of entertainment.⁷

While many American speakers agreed with Jefferson's rhetorical position in theory, most imitated Cicero in practice. Thus, even Benjamin Rush, who opposed the classical languages requirement in the schools, cited Cicero both as proof that oratorical eloquence thrives only in societies characterized by free speech and as evidence against hereditary brilliance, since his descendants did not shine as brightly as he did.⁸

7 Douglas L. Wilson, ed., *Jefferson's Literary Commonplace Book* (Princeton: Princeton University Press, 1989), p. 71; Albert Ellery Bergh and Andrew A. Lipscomb, eds., *The Writings of Thomas Jefferson* (Washington: Thomas Jefferson Memorial Association, 1903), Jefferson to John Wayles Eppes, January 17, 1810, vol. 12, p. 343; Jefferson to David Harding, April 20, 1824, vol. 16, p. 30.

8 Dagobert Runes, ed., *The Selected Writings of Benjamin Rush* (New York: The Philosophical Library, 1947), "On Manners," 1769, pp. 375, 378; Douglass Adair and John A. Schutz, *The Spur of Fame: Dialogues of John Adams and Benjamin Rush, 1805–1813* (San Marino, Calif.: Huntington Library, 1966), Rush to Adams, October 16, 1809, p. 156.

Cicero as Hero

The founders also regarded Cicero as a model of personal and civic virtue. Although a critic of the classical languages requirement in the schools, Benjamin Franklin quoted Cicero on the importance of virtue and hard work and on the duty of people to minister to the ill. In 1768 Samuel Adams adopted the pseudonym “Cedant Arma Togae” (let arms yield to the toga) for an essay protesting the British maintenance of a standing army, a phrase immortalized by Cicero, who had insisted on tight civilian control of the Roman army. In 1790 Benjamin Rush applauded Cicero for deploring the tendency of people to concentrate their adulation and political support on a single man. In 1794 Alexander Hamilton selected “Tully” (a popular nickname for Cicero derived from his clan name, Tullius) for a series of essays denouncing the Whiskey Rebellion. Hamilton’s attack on the Whiskey rebels paralleled Cicero’s famous orations against Catiline. Hamilton considered the rebel leaders demagogues who emulated Catiline in their attempt to foment popular unrest in order to seize power. But Hamilton, the American Cicero, would foil the plan of these latter-day Catilines and save the republic by reaffirming the duly-elected government’s constitutional power to make and enforce laws, free of intimidation. John Witherspoon, president of the College of New Jersey and signer of the Declaration of Independence, named his country home “Tusculum,” after Cicero’s villa. John Marshall patterned his portrayal of George Washington, in his famous five-volume biography of the general, after Cicero. In fact, in calling Washington “the Father of the Country,” Americans identified the general with Cicero, since Cato had given him that title.⁹

James Wilson, one of the leading drafters of the U.S. Constitution, also idolized Cicero. Wilson cited the Roman more often than any other author in his 1790 lectures to law students at the College of Philadelphia (now the University

9 Leonard W. Labaree, ed., *The Papers of Benjamin Franklin* (New Haven: Yale University Press, 1959–), *Poor Richard Improved*, 1749, vol. 3, p. 337; “Appeal for the Hospital,” August 8, 1751, vol. 4, p. 150; L. Jesse Lemisch, ed., *Benjamin Franklin: The Autobiography and Other Writings* (New York: Penguin, 1961), Autobiography, p. 97; Paul Lewis, *The Grand Incendiary: A Biography of Samuel Adams* (New York: Dial Press, 1973), p. 100; L.H. Butterfield, ed., *The Letters of Benjamin Rush* (Princeton: Princeton University Press, 1951), Rush to John Adams, April 13, 1790, vol. 1, p. 544; Harold C. Syrett, ed., *The Papers of Alexander Hamilton* (New York: Columbia University Press, 1961–1979), “Tully No. I,” August 23, 1794, vol. 17, p. 132; Howard Mumford Jones, *O Strange New World: American Culture, the Formative Years* (New York: Viking Press, 1952), p. 253; MacKendrick, “This Rich Source of Delight,” p. 103; Stephen Botein, “Cicero as a Role Model for Early American Lawyers: A Case Study in Classical ‘Influence,’” *Classical Journal* 73 (Spring 1978):318.

of Pennsylvania), attended by President Washington, Vice-President Adams, Secretary of State Jefferson, and many other dignitaries. Regarding education, Wilson asked, "What, I repeat it, can be intrinsically more dignified than to assist in forming a future Cicero or Bacon?" Cicero himself had taught law, even after serving as a consul and representing kings. Wilson quoted Cicero on the importance of the rule of law (*Pro Caecina* 74): "Believe me, a more inestimable inheritance descends to you from the law than from those who have left, or may leave, you fortunes. A farm may be transmitted to me by the will of anyone; but it is by the law alone that I can peacefully hold what is already my own. You ought, therefore, to retain the public patrimony of the law, which you have received from your ancestors, with no less assiduity than you retain your private estates, not only because these are fenced and protected by the law, but for the further reason, because the loss of the law would be deeply detrimental to the whole commonwealth." Wilson exulted: "The jurisprudence of Rome was adorned and enriched by the exquisite genius of Cicero, which, like the touch of Midas, converts every object to gold." He called the *De officiis* "a work which does honour to human understanding and the human heart."¹⁰

John Adams derived a lifelong sense of identity and purpose from his emulation of Cicero. In the autumn of 1758 Adams gloried in the fact that law, his chosen profession, was "A Field in which Demosthenes, Cicero, and others of immortal Fame have exulted before me!" That winter he confessed in his diary the pleasure he derived from reading Cicero's orations aloud: "The Sweetness and Grandeur of his sounds, and the Harmony of his Numbers give Pleasure enough to reward the Reading if one understood none of his meaning. Besides, I find it a noble Exercise. It exercises my Lungs, raises my Spirits, opens my Porrs, quickens the Circulation, and so contributes much to [my] Health." Indeed, after a family quarrel, Adams "quitted the Room, and took up Tully to compose myself." In 1765 he joined several other Boston lawyers in forming "Sodalitas," a small club whose "main Object" was to "read in Concert the Feudal Law and Tully's Orations." In 1774 Adams urged an aspiring politician to adopt Cicero as his model. He wrote regarding Cicero's quaestorship at Lilybaeum in Sicily: "He did not receive this office as Persons do now a days, as a Gift, or a Farm, but as a public Trust, and considered it as a Theatre, in which the Eyes of the World were upon him." When Rome was short of grain, Cicero managed to feed the city without treating his own province unfairly."¹¹

10 Robert Green McCloskey, ed., *The Works of James Wilson* (Cambridge, Mass.: Harvard University Press, 1967), vol. 1, pp. 50, 85, 273, 342, 378, 598, 643.

11 L.H. Butterfield, *The Earliest Diary of John Adams* (Cambridge, Mass.: Harvard University Press, 1966), October–November 1758, p. 65; Butterfield, ed., *The Diary and Autobiography*

When Adams, one of the greatest orators of his day, rose before the Continental Congress on July 1, 1776, to rebut John Dickinson's contention that American independence would be premature, the New Englander thought of Cicero. He recorded in his diary: "I began by saying that this was the first time of my Life that I ever wished for the Talents and Eloquence of the ancient Orators of Greece and Rome, for I was very sure that none of them ever had before him a question of more importance to his Country and to the World."¹²

Adams' admiration for Cicero outlived the American Revolution. He spent the summer of 1796, several months before assuming the presidency, reading the statesman's essays. In 1803 Adams quoted Cicero regarding the true public servant (*De officiis* 1.86): "Such a man will devote himself entirely to the republic, nor will he covet power and riches. . . . He will adhere closely to justice and equity, that, provided he can preserve these virtues, although he may give offence and create enemies by them, he will set death itself at defiance rather than abandon his principles." No one followed this ethic better than Adams. In the 1760s he had refused the lucrative and prestigious position of admiralty court judge because he considered the juryless British courts unconstitutional. In 1770 he had sacrificed his popularity to defend the British soldiers accused of murder in the "Boston Massacre." As president, in 1799–1800 he had made peace with Napoleonic France, leaving Jefferson the glory of the Louisiana Purchase a few years later, at the expense of his own re-election. While no other founder yearned so much for popularity, none so continually sacrificed it to a strict code of ethics. It is not fanciful to suppose that, when making such painful decisions, Adams found consolation in contemplating the Roman statesman's sacrifices and the eternal glory they had earned him.¹³

Adams continued to express admiration for Cicero in the correspondence of his twilight years. In 1805 Adams wrote: "The period in the history of the world the best understood is that of Rome from the time of Marius to the death of Cicero, and this distinction is entirely owing to Cicero's letters and orations.

of John Adams (Cambridge, Mass.: Harvard University Press, 1961), Diary, December 21, 1758, vol. 1, p. 63; December 30, 1758, vol. 1, p. 65; January 24, 1765, vol. 1, pp. 251, 253; February 21, 1765, vol. 1, p. 255; Robert J. Taylor *et al.*, eds., *The Papers of John Adams* (Cambridge, Mass.: Harvard University Press, 1977-), John Adams to William Tudor, August 4, 1774, vol. 2, pp. 126–127.

¹² Butterfield, *Diary and Autobiography of John Adams*, Diary, July 1, 1776, vol. 3, pp. 396–397.

¹³ Peter Shaw, *The Character of John Adams* (Chapel Hill: University of North Carolina Press, 1976), p. 246n34; Linda K. Kerber, *Federalists in Dissent: Imagery and Ideology in Jeffersonian America* (Ithaca: Cornell University Press, 1970), p. 122.

There we see the true character of the times and the passions of all the actors on the stage. Cicero, Cato, and Brutus were the only three in whom I can discern any real patriotism. . . . Cicero had the most capacity and the most constant, as well as the wisest and most persevering, attachment to the republic." In an 1808 letter to Benjamin Rush, Adams defended Cicero against the charge of vanity, arguing, "What other People call Vanity in Cicero, I denominate Naivete." Cicero was faced with "Jealousy and Envy" of his talents and was surrounded by libelers. Adams continued: "In this distressing Situation he poured out the feelings of his tortured heart with the utmost Naivete. . . . He blazoned forth his own Virtues, Talents, and great Services in the Face of the Senate and the whole Roman People. . . . It was Self Defense, Independence, Intrepidity, or in one Word, Naivete." Nevertheless, fearful of facing the same charge of vanity for this implicit analogy between Cicero and himself, Adams never dispatched the letter. Although he allowed his son, John Quincy, to read the missive, he told him to burn it afterward.¹⁴

But in the following year what little restraint Adams retained collapsed. In a letter to Rush which he did dispatch, Adams cried out:

Panegyrical romances will never be written, nor flattering orations spoken, to transmit me to posterity in brilliant colors. No, nor in true colors. All but the last I loathe. Yet, I will not die wholly unlamented. Cicero was libeled, slandered, insulted by all parties—by Caesar's party, Catiline's crew, Clodius's myrmidons, aye, and by Pompey and the Senate too. He was persecuted and tormented by turns by all parties and all factions, and that for his most virtuous and glorious actions. In his anguish at times and in the consciousness of his own merit and integrity, he was driven to those assertions of his own actions which have been denominated vanity. Instead of reproaching him with vanity, I think them the most infallible demonstration of his innocence and purity. He declares that all honors are indifferent to him because he knows that it is not in the power of his country to reward him in any proportion to his services.

Pushed and injured as I am, I blush not to imitate the Roman.

In 1811, when Adams wished to console Rush on his son's departure to the national capital and government service, he recalled Cicero's patriotic maxim (*De officiis*, 1.22; cf. Plato *Letters* 358a), "Not for ourselves, not for ourselves alone, are we born." Finally, in 1812, Adams wrote: "Letters! What shall I say of letters?"

¹⁴ Adair and Schutz, *Spur of Fame*, Adams to Rush, December 4, 1805, p. 44; Shaw, *Character of John Adams*, p. 272.

Pliny's are too studied and elegant. Cicero's are the only ones of perfect simplicity, confidence, and familiarity." Each year of his retirement Adams set aside time to reread Cicero's *De Senectute*, which extolled the virtues of rural life.¹⁵

Adams was all too successful in his lifelong attempt to emulate Cicero. Adams' integrity, which found its greatest expression in his unwillingness to endorse party favoritism, led to unpopularity in both parties, and his responses to critics were marked by the same petulance and vanity as the Roman's. The only difference between the two was that Cicero, uninfluenced by Christian notions of humility, had found nothing shameful in vanity. Not only would it never have occurred to Cicero to deny the charge of vanity; it would never have occurred to his contemporaries to make it. Classical heroes were hardly known for their modesty.

Adams merely clung more tenaciously to a theme which the other founders also embraced: the theme of the lone-wolf hero (Socrates, Demosthenes, and Cicero are all good examples) who sacrifices short-term popularity, which can only be purchased by vice, for long-term fame, which can only be secured by virtue—the aristocrat who saves the ignorant masses, often at the cost of his own life, from themselves. The classical hero treated the follies of the people and the bribes of monarchs with equal disdain. Likewise, the founders were equally disgusted by the fawning courtiers who crowded around King George III and his colonial governors in search of preferment and by demagogues who manipulated popular passions to increase their own power. This equation of virtue with independence of thought and action, when combined with a concomitant equation of vice with "factionalism" (Roman historians despised the *factio*, the favorite instrument of demagogues), contributed greatly to the antiparty sentiment that dominated the early history of the United States. According to the classical doctrine, membership in a political party inevitably involved defending the indefensible vices of one's allies and attempting to dominate one's fellow citizens in order to satisfy a narrow self-interest. In the eighteenth century the greatest compliment one man could pay another was to call him "disinterested." To be disinterested was to place justice above all other considerations, including one's own interest and those of one's family, friends, and political allies. Both Federalist and Democratic-Republican leaders decried "party spirit." They considered their own parties temporary aberrations, necessary only to block the antirepublican ambitions

15 Adair and Schutz, *Spur of Fame*, Adams to Rush, March 23, 1809, pp. 139–140; December 19, 1811, p. 203; December 27, 1812, p. 263; Shaw, *Character of John Adams*, p. 270; Ralph Ketcham, *Presidents above Party: The First American Presidency, 1789–1829* (Chapel Hill: University of North Carolina Press, 1984), p. 98.

of their opponents, and looked forward to the day when they could be safely eliminated. George Washington devoted most of his Farewell Address to an attack on political parties, which he feared might produce civil war. Many Americans breathed a sigh of relief when American politics reverted to a partyless condition following the death of the Federalist Party in 1816. The “Era of Good Feelings” seemed a return to the mythical days of patriot unity during the American Revolution. John Quincy Adams inherited his father’s determination to resist party favoritism. He refused to remove hundreds of political opponents from federal office. As late as the antebellum period many members of the Whig Party, still tied to classical theory, continued to perceive parties as an evil. They dubbed Andrew Jackson “King Andrew,” claiming that his wholesale replacement of opponents resembled the corrupt patronage policy of George III.¹⁶

Mixed Government Theory

In the fourth century B.C. Plato identified three simple forms of government: monarchy, aristocracy, and democracy—rule by the one, the few, and the many. Each of these forms, he claimed (*Laws* 756e–757a, 832c; *Politicus*, 291d–303c), deteriorated over time: monarchy into tyranny, aristocracy into oligarchy, and democracy into ochlocracy (mob rule). Plato suggested that the best form of government would be a mixed government, one that balanced the power of the three orders of society. (This theory represented a marked departure from the one elaborated in the *Republic* more than a decade earlier.) Aristotle then immortalized mixed government theory, making it the centerpiece of his *Politics* (3.7), in which he cited numerous examples of mixed government in the ancient world. In the second century B.C. the Greek historian Polybius (*Histories*, 6.5–18) then provided a detailed analysis of the theory and identified the Roman republic, with its balance between the consuls, the Senate, and the popular assemblies, as the most outstanding example of mixed government. Cicero (*Republic*, 2.23–30) seized on the theory to thwart the increasing efforts of ambitious Romans to consolidate their own power at the republic’s expense. Throughout Western history, supporters of the theory, such as Niccolò

16 Ketcham, *Presidents above Party*, pp. vii, x, 3–4, 92, 121–124, 140; Gordon S. Wood, *Creation of the American Republic* (Chapel Hill: University of North Carolina Press, 1969), p. 78; Wood, *Radicalism of the American Revolution* (New York: Alfred A. Knopf, 1992), pp. 298–303; Daniel Walker Howe, *The Political Culture of the American Whigs* (Chicago: University of Chicago Press, 1979), p. 8.

Machiavelli, cited Cicero, while opponents of it, such as the monarchists Jean Bodin and Thomas Hobbes, took care to assault the Roman.¹⁷

Because of the centrality of Latin, and especially Cicero, to American education, the founders derived their understanding of the crucial theory of mixed government as much from Cicero as from the Greeks, though aware of its Greek origins. In his influential *Defence of the Constitutions of Government of the United States* (1787), the first volume of which was circulated at the Constitutional Convention, John Adams summarized the genesis of the theory in Plato's work and its development through Aristotle, Polybius, and his own hero Cicero. While respecting such modern authors as Machiavelli, James Harrington, Algernon Sidney, John Locke, and Montesquieu, Adams considered these theorists overrated, emphasizing that the "the best part" of their writings came directly from the ancients. Indeed, Machiavelli's shady reputation and Harrington's support for "agrarian acts" (land redistribution legislation) could not have endeared these authors to the conservative New Englander.¹⁸

James Madison endorsed the U.S. Constitution as establishing a mixed government. At the Constitutional Convention Madison argued for a nine-year term for senators, declaring: "Landholders ought to have a share in the government to support these invaluable interests and to balance and check the other [the many]. They ought to be so constituted as to protect the minority of the opulent against the majority. The senate, therefore, ought to be this body; and to answer these purposes, they ought to have permanency and stability. Various have been the propositions; but my opinion is, the longer they continue in office, the better will these views be answered." It was useless to deny the existence of an American aristocracy, though there were no "hereditary distinctions," and though inequalities of wealth were minor by comparison with Europe. Madison continued: "There will be debtors and creditors, and an unequal possession of property, and hence arises different views and different objects in government. This, indeed, is the ground work of aristocracy, and we find it blended in every government, both ancient and modern." Madison concluded that in his own day America could not be regarded as "one

17 Jean Bodin, *Method for the Easy Comprehension of History*, trans. Beatrice Reynolds (New York: W. W. Norton, 1945), pp. 179–185; Thomas Hobbes, *Leviathan, Parts I and II* (New York: Bobbs-Merrill, 1958), p. 175.

18 John Adams, *A Defence of the Constitutions of Government of the United States of America* (1787–1788; reprint, New York: Da Capo Press, 1971), vol. 1, pp. xxi, 169–182, 209, 325; Richard M. Gummere, "The Classical Politics of John Adams," *Boston Public Library Quarterly* 9 (October 1957):172.

homogeneous mass” and that there were recent “symptoms of a leveling spirit” that he feared might lead to “agrarian acts.”¹⁹

In *Federalist* No. 63 Madison asserted that “history informs us of no long-lived republic which had not a senate.” He then related how the Spartan, Roman, and Carthaginian senates, whose members possessed lifetime terms, had acted as an “anchor against popular fluctuations.” Madison further argued that the danger of a republic’s being corrupted was “greater where the whole legislative trust is lodged in the hands of one body of men where the concurrence of separate and dissimilar bodies is required in every public act.” The operative word here is “dissimilar.” Madison did not consider the U.S. Senate a mere redundancy, a democratic body that existed only to block any hasty legislation that might proceed from the other democratic body, the House of Representatives. Rather, it was obvious from the Senate’s different manner of selection (by the state legislatures under the original Constitution) and much longer term of office (six years rather than two) that it would serve as an aristocratic branch. In his notes for the essay Madison cited Aristotle, Polybius, and Cicero as his sources.²⁰

Alexander Hamilton also advocated mixed government based on classical sources. Hamilton’s outline for a speech given at the Constitutional Convention on June 18, 1787, a speech in which he advocated lifetime terms for both the president and the Senate, included these statements:

Here I shall give my sentiments for the best form of government—not as a thing attainable by us, but as a model which we ought to approach as near as possible. British constitution best form. Aristotle—Cicero—Montesquieu—Neckar. Society naturally divides itself into two political divisions—the few and the many, who have distinct interests. If a government [is] in the hands of the few, they will tyrannize over the many. If [it is in] the hands of the many, they will tyrannize over the few. It ought to be in the hands of both; and they should be separated.

Hamilton concluded: “Nothing but a permanent body [a lifetime senate] can check the imprudence of democracy.” Eight days later, Hamilton opposed Roger

19 Max Farrand, ed., *The Records of the Federal Convention of 1787*, 3d. ed., (New Haven: Yale University Press, 1966), vol. 1, pp. 422–423, 431.

20 Alexander Hamilton, John Jay, and James Madison, *The Federalist: A Commentary on the Constitution of the United States* (New York: Random House, 1941), No. 63, pp. 410–411, 415; Robert A. Rutland, ed., *The Papers of James Madison* (Chicago: University of Chicago Press, 1962–1977; Charlottesville: University Press of Virginia, 1977–), Additional Memoranda on Confederacies, November 30, 1787, vol. 10, p. 274.

Sherman's measure to reduce the senators' term of office, reminding him that the House of Representatives would act as "the democratic body." Hamilton further noted that the absence of legal distinctions in America between citizens did not mean that American society was homogeneous. Inequality of property still "constituted the great & fundamental distinction in Society." Making a common analogy between the United States and the Roman republic, he asked: "When the Tribunitial power had leveled the boundary between the patricians and plebeians, what followed?" He answered: "The distinction between rich and poor was substituted." He concluded pointedly: "If we incline too much to democracy, we shall soon shoot into a monarchy. The difference of property is already great among us. Commerce and industry will still increase the disparity." Hamilton's reference to the Roman republic would have made the influence of Cicero clear, even if he had not directly cited him as a source.²¹

Based on the writings of Cicero and the other classical authors, the founders created a mixed government in the U.S. Constitution. It was a constitution that balanced the power of the one president, a limited monarch selected by the Electoral College, an aristocratic senate selected by the state legislatures and possessing lengthy terms that insulated them from majority pressure, and a democratic house directly elected by the people for short terms.

Natural Law

The American Revolution itself and the Bill of Rights that followed the ratification of the Constitution were both largely the product of a theory of natural law that, like mixed government theory, originated in Greece but was most effectively propagated by Cicero. The theory of natural law held that there existed in nature a universal code of morality that was accessible to humans, either through intuition or by reason acting on information provided by the senses. In early modern Europe it was this theory that produced the theory of natural rights, the belief that individuals were born with unalienable rights, such as the rights of life, liberty, and property.

As with mixed government, the germ of natural law may be found in the writings of Plato. In Plato's *Meno* (77c–78b) Socrates argued that the desire for good "belongs to our common nature." The understanding of good and evil was accessible through intuition, rather than through reason (logic) acting on sensory experience. In the *Phaedo* (63c–68b) Socrates explained that the body was an "obstacle" to knowledge. Socrates contended: "And the best sort of thinking occurs when the soul is not disturbed by any of these things—not by

21 Farrand, *Records of the Federal Convention*, vol. 1, pp. 299–300, 308, 424, 432.

hearing, or sight, or pain, or pleasure—when she leaves the body and is alone and, doing her best to avoid any form of contact with it, reaches out to grasp what is truly real.” Aristotle also believed in natural law. In the *Rhetoric* (1.1375a.25–b.1–8) he accepted the legitimacy of the “higher law” argument in court, whenever the law conflicted with justice. But Aristotle believed that humans used their reason to deduce natural law from experience. In Book 1 of the *Politics* he claimed regarding the human: “Justice, which is his salvation, belongs to the polis, for justice, which is the determination of what is just, is an ordering of the political association.” Virtue was not innate, but the product of training by the polis. The Stoics then placed natural law theory at the center of their philosophy.

Cicero concurred with the Stoics concerning natural law. In *De legibus* (1.33) he defined law as “right reason applied to command and prohibition.” He conceived of the universe as “one commonwealth of which both gods and men are members.” Natural law was not handed down by the gods but was the glue that connected them to humans in the one great organism of the universe. Reason and matter were but two parts of the same whole, the former acting on the latter. Like the Stoics, Cicero adopted a middle position between Plato and Aristotle concerning the mechanics of natural law. While the human mind was born predisposed to virtuous principles, moral training (the use of reason and the senses) was required to convert this tendency into genuine virtue. Cicero wrote regarding nature and man (*De finibus* 5.59–60): “It is true that she gave him a mind capable of receiving every virtue, and implanted at birth and without instruction some small intimations of the greatest truths, and thus, as it were, laid the foundation for education and instilled into those faculties which the mind already had what may be called the germs of virtue. But of virtue itself she merely furnished the rudiments, nothing more. Therefore it is our task (and when I say ‘our’ I mean that it is the task of art) to supplement those mere beginnings to search out the further developments which were implicit in them, until what we seek is fully attained.” Cicero used the two analogies of sparks and seeds to clarify his position. At one point he stated that human souls were all sparks temporarily separated from the Great Flame (what the Stoics termed the World Soul), but that a spark might be extinguished by a bad upbringing. At another he argued (*De officiis* 1.153) that the seeds of virtue manifested themselves in the social nature of humans, in their gregarious impulses. The two analogies differed somewhat: nurturing a seed into a full-grown plant generally requires more conscious effort than keeping a flame lit.²²

22 Maryanne Cline Horowitz, “The Stoic Synthesis of the Idea of Natural Law in Man: Four Themes,” *Journal of the History of Ideas* 35 (January–March 1974):7–15.

While championing the theory of natural law, modern republicans contributed a new emphasis on natural rights, a deduction from natural law rarely pursued by the ancients. The Huguenots first summarized these natural rights as the right to life, liberty, and property. Algernon Sidney argued that natural law, as the product of an “ultimate reason,” was universal, rooted in the human conscience, and “above all passion, void of desire and fear, lust and anger.” John Locke wrote that a nation’s laws “are only so far right as they are founded on the Law of Nature, by which they are to be regulated and interpreted.” He added: “The Law of Nature stands as an Eternal Rule to all Men, legislators as well as others.” He argued that men did not surrender their natural rights to government when forming the social contract, only their prerogative of enforcing natural law. If government threatened these natural rights, its citizens were morally obligated to uphold natural law by opposing the government that violated it. Since such citizens resisted tyranny on behalf of law, they were in no sense rebels. The influential Dutch commentator Enrich de Vattel attempted to apply the principles of natural law to international trade and communications. Montesquieu began his *L’esprit des lois* with a discussion of natural law.²³

Although the founders had access to every level of Western discourse on natural law, they cited Cicero in support of the theory even more than in support of mixed government. As early as 1759 John Adams exhorted himself, in his diary: “Labour to get distinct ideas of Law, Right, Wrong, Justice, Equity. Search for them in your own mind, in Roman, Grecian, French, English Treatises of natural, civil, common, Statute law. . . . Study Seneca, Cicero, and all other good moral Writers.” In 1775 Adams wrote regarding patriot ideology: “These are what are called revolution-principles. They are the principles of Aristotle and Plato, of Livy and Cicero, of Sidney, Harrington, and Locke[e].—The principles of nature and eternal reason.” In the 1760s Samuel Adams praised the British constitution, then threatened by parliamentary measures, as founded “On the Law of God and the Law of Nature,” as interpreted by Cicero, the Stoics, and James Otis. Benjamin Rush quoted Cicero regarding natural law (*Pro Milone* 4): “This, my lords, is not a written but an innate law. We have not been taught it by the learned; we have not received it from our ancestors; we have not taken it from books; it is derived from nature and stamped in invisible characters upon our very frame. It was not conveyed to us by instruction but wrought into

23 Paul K. Conkin, *Self-Evident Truths* (Bloomington: Indiana University Press, 1974), pp. 92, 95, 100; Paul A. Rahe, *Republics, Ancient and Modern: Classical Republicanism and the American Revolution* (Chapel Hill: University of North Carolina Press, 1992), p. 509; Charles Secondat de Montesquieu, *The Spirit of the Laws*, trans. Thomas Nugent (New York: Colonial Press, 1899), vol. 1, pp. 1, 3.

our Constitution. It is the dictate of instinct." Similarly, Thomas Paine quoted the Roman statesman (*De re publica* 3.33): "There cannot be one law now and another hereafter; but the same eternal, immutable law comprehends all nations, at all times, under one common master and governor of all, God." Near the end of his life, Thomas Jefferson wrote regarding the Declaration of Independence: "All its authority rests, then, on the harmonizing sentiments of the day, whether expressed in conversation, in letters, in printed essays, or the elementary books of public right, [such] as Aristotle, Cicero, Locke, Sidney, etc."²⁴

James Wilson was especially fond of quoting Cicero on natural law. In one of his 1790 lectures to the law students at the College of Philadelphia, Wilson contended that humans possessed a sort of intuition, variously called "conscience" or "the moral sense," which led them to the right moral conclusions. Wilson asserted: "Morality, like mathematics, has its intuitive truths, without which we cannot make a single step in our reasonings upon the subject." He then quoted Cicero (*Tusculan Disputations* 1.16): "What nation, what species of man is there, which does not have, without teaching, some sort of foreknowledge, that is, a certain image of the thing conceived beforehand by the mind, without which nothing can be understood, investigated, or discussed?" Wilson added: "This law, or right reason, as Cicero calls it, is thus beautifully described by that eloquent philosopher." Wilson again quoted Cicero (*De re publica* 3.33): "It is indeed a true law, conformable to nature, diffused among all men, unchangeable, eternal. By its commands, it calls men to their duty; by its prohibitions, it deters them from vice. To diminish, to alter, much more to abolish, this law is a vain attempt. Neither by the senate, nor by the people, can its powerful obligation be dissolved. It requires no interpreter or commentator. It is not one law at Rome, another at Athens; one law now, another hereafter: it is the same eternal and immutable law, given at all times and to all nations." This intuition was implanted by God, "the author and promulgator" of natural law. Wilson quoted Cicero (*De legibus* 2.8): "The first and final law, they used to say, is the mind of God, who forces or prohibits everything by reason." Intuition was evident in our universal need for community. Wilson quoted Cicero yet again, preceding the quotation (*De amicitia* 87–88) with the comment, "How beautiful and energetic are the sentiments of Cicero on this subject": "If we could

24 Buttterfield, *Diary and Autobiography of John Adams*, Diary, January 1759, vol. 1, p. 73; Taylor, *Papers of John Adams*, "Letters of Novanglus," January 23, 1775, vol. 2, p. 230; Gummere, *American Colonial Mind*, pp. 110, 115; Runes, *Selected Writings of Benjamin Rush*, "The Influence of Physical Causes upon the Moral Faculty," 1786, pp. 181–182; Moncure Daniel Conway, ed., *The Writings of Thomas Paine* (New York: AMS Press, 1967), "Examination of Prophecies," 1804, vol. 4, p. 411; Bergh and Lipscomb, *Writings of Thomas Jefferson*, Jefferson to Henry Lee, May 8, 1825, vol. 16, pp. 118–119.

suppose ourselves transported by some divinity into a solitude, replete with all the delicacies which the heart of man could desire but excluded, at the same time, from every possible intercourse with our kind, there is not a person in the world of so unsociable and savage a temper as to be capable, in these forlorn circumstances, of relishing any enjoyment. . . . If a man were to be carried into heaven, and see the beauties of universal nature displayed before him, he would receive but little pleasure from the wonderful scenes, unless there was some person to whom he could relate the glories which he had viewed. Human nature is so constituted as to be incapable of solitary satisfaction.”²⁵

Like most advocates of natural law, Wilson was bolder in asserting its existence than in defining its content. He did assert a natural right to self-preservation, again quoting Cicero (*Pro Milone* 10): “There exists, Judges, this law which is not written, but inborn; we have not learned it, received it, or read it, but from nature herself we have snatched, imbibed, and extorted; a law to which we are not trained, but in which we are made; in which we are not instructed, but with which we are imbued; the law, namely, that whenever our life falls into some ambush, is attacked, or is set upon by brigands or enemies, there is every honest reason for saving one’s self; for amid arms the laws are silent, and they do not order a man to wait around, since he who will wait must suffer an unjust penalty before he obtains a just retribution.” In addition, Wilson asserted, once again on Cicero’s authority (*Pro Balbo* 13), the right “that no one, contrary to his inclination, should be deprived of his right of citizenship; and that no one, contrary to his inclination, should be obliged to continue in that relationship.”²⁶

The founders shared Cicero’s belief that both intuition and reason acting on experience were necessary to understand natural law. Often citing the Roman, the founders spoke of the existence of a moral sense. Having read and copied Cicero and the Stoics long before he became familiar with the Scottish moral philosophers, who also derived their concept of the moral sense from Cicero and the Stoics, Thomas Jefferson believed that everyone possessed a moral sense that God had implanted in human to ensure the preservation of their race. Not everyone listened to that moral sense; a plowman might decide a moral case better than a professor if the professor were “led astray by artificial rules.” But if people listened to their moral sense, they would find that it spoke the same things to each of them. Thus, Jefferson wrote that ethics should be taught at the University of Virginia as “moral obligations . . . in which all

25 McCloskey, *Works of James Wilson*, “The Law of Nations,” vol. 1, pp. 164–165; “Man as Member of Society,” vol. 1, p. 237.

26 Ibid., “Man as Member of Society,” vol. 1, p. 245; “Of the Natural Rights of Individuals,” vol. 2, p. 609n.

sects agree,” and praised the Quakers for rallying around their common ethics rather than fragmenting over theological points. Yet, like Cicero, Jefferson also claimed that the moral sense could not be awakened without the aid of reason and experience. When seeing virtue represented in present and past examples, children instinctively recognized its inherent beauty and sought to reproduce it. Conversely, children who rarely experienced virtuous behavior could not develop their moral sense to its full potential. Jefferson used an enlightening analogy to explain this concept: “The moral sense, or conscience, is as much a part of a man as his leg or arm. It may be strengthened by exercise, as may any particular limb of the body. . . . In this branch, therefore, read good books, because they will encourage well as direct your feelings.” Such good books, Jefferson added, included Cicero’s philosophical writings, as well as the Stoic works of Seneca and Marcus Aurelius.²⁷

James Wilson agreed that both intuition and reason acting on experience were necessary to comprehend natural law. In the same lectures in which Wilson quoted Cicero repeatedly concerning intuition, he referred to “the divine law, as discovered by reason and the moral sense,” and added: “We discover [the will of God] by our conscience, by our reason, and by the Holy Scriptures.” Although Wilson emphasized intuition, like his idol Cicero, he refused to exempt reason from a role in uncovering natural law. He concluded: “The cases that require reasoning are few, compared with those that require none; and a man may be very honest and virtuous who cannot reason and who knows not what demonstration means. . . . Our instincts are no other than the oracles of eternal wisdom; our conscience, in particular, is the voice of God within us.”²⁸

27 Julian P. Boyd, ed., *The Papers of Thomas Jefferson* (Princeton: Princeton University Press, 1950–), Jefferson to Peter Carr, August 10, 1787, vol. 12, p. 15; Lester J. Cappon, ed., *The Adams-Jefferson Letters: The Complete Correspondence between Thomas Jefferson and Abigail and John Adams* (Chapel Hill: University of North Carolina Press, 1959), Jefferson to John Adams, August 22, 1813, vol. 2, 368; October 14, 1816, vol. 2, p. 492; Saul K. Padover, ed., *The Complete Jefferson: Containing His Major Writings, Published and Unpublished, except His Letters* (New York: Duell, Sloan, and Pearce, 1943), p. 1104; Marie Kimball, *Jefferson: The Road to Glory, 1743–1776* (New York: Coward-McCann, 1943), p. 115.

28 Charles Page Smith, *James Wilson: Founding Father, 1742–1798* (Chapel Hill: University of North Carolina Press, 1956), pp. 330–333.

Conclusion

The founders turned to the Roman who had long served as their greatest role model for the inspiration and ideas that were essential to success in their monumental task of defeating the greatest power on earth and establishing a new republic they hoped would one day rival that of Rome. The founders were excited at the opportunity to match their ancient hero's struggles against tyranny, to rival the noble deeds that filled their youth. They were thrilled at the belief that they were beginning anew the work of the ancient republicans, only this time with an unprecedented chance of success. Cicero may have lost the first round of combat against the tyranny of Caesar (see chapter 9, *ad fin.*), but the founders, starting afresh in a virgin country, could pack the punch that would win the second and decisive round.

Cicero's Quarrels

Reception and Modernity from Horace to Tacitus

Alex Dressler*

In *All That Is Solid Melts Into Air*, I define modernism as any attempt by modern men and women to become subjects as well as objects of modernization, to get a grip on the modern world and make themselves at home in it.

MARSHALL BERMAN¹

• • •

There was a form of modernity [*modernité*] for every painter of the past [*peintre ancien*].

BAUDELAIRE²

• •

1 Introduction: Cicero and the Modern

Around the transition from the first to second centuries of our era, as the Roman Empire was nearing its height, the historian Tacitus (ca. 56–118 C.E.) wrote a single work on literary criticism: the *Dialogue on Orators*, which dramatized his elders' debate over the decline of eloquence in their own time. Almost to a man, Tacitus's speakers agree that, since the golden age of the subject of this volume, the orator, statesman, philosopher, and poet, Marcus Tullius Cicero (106–43 B.C.E.), the ability to speak persuasively and stylishly that they call eloquence has, with the advent of autocracy, declined (*Dial.* 41.7f.). In the words of Tacitus's character Maternus, the most respected figure of the group: "What need for lots of harangues to the people when it is not the unsophisticated multitude who make decisions about the Republic, but one man"—the

* Many thanks to Melissa Haynes and Annie Menzel for reading several drafts of this piece, and to Will Altman, as always, for patience, generosity, and inspiration.

1 Berman 1982: 5, cf. 15f., 162; De Man 1983: 144, 151.

2 1972 [1859–60]: 403 = 1998: 216, cf. Benjamin 1973: 67–101, Berman 1982: 131–48, de Man 1983: 156–62, Compagnon 1994: 14–22, Jauss 2005: 362–4. Cf. Rötzer 1979: x, 3–5, 8f., 12f.

emperor—"the wisest and alone?" Crucially, however, the group is not unanimous. One speaker, Marcus Aper rejects this position, insisting that the accomplishments of the modern orator measure up to and perhaps even surpass those of the past. In making this claim, paradoxical to his interlocutors, Aper in fact resorts to a proper paradox, invoking Cicero, exemplar of past eloquence, in his very dismissal of past eloquence (*Dial.* 22.1): "I come to Cicero, who had the same fight with his contemporaries as I am having with you," he declares; "for those men idealized the 'ancients' [*antiquos*], but he himself preferred the eloquence of his own time."³

With Aper's paradoxical declaration, Tacitus's *Dialogue on Orators* becomes one of the first instances of the so-called "quarrel of the ancients and the moderns," that is, the perennial asking of the question: "Is antiquity exemplary and what does it mean to imitate it?"⁴ Turning on a paradox as it does, Tacitus's treatment of Cicero distills diametrically opposed responses to Cicero in a stroke: as if putting the orator in parentheses, Aper both rejects Cicero's canonicity and encapsulates the entire tradition of Roman rhetoric in Cicero's name. More straightforward than this irreverent speaker, Tacitus's slightly younger contemporary Quintilian soon recuperated Cicero in twelve volumes with his monumental *Orator's Education* (cf. Brink 1989). In it, as Alain Gowing (2013: 250) has recently suggested, Quintilian's recuperation centers on the orator not as a person but rather as a personification (Quint. *I.O.* 10.1.122): "And this is why he was said, not without desert, to be the king of legal proceedings among the men of his own age and to have in fact acquired among posterity that 'Cicero' is no longer held as the name of a person [*hominis nomen*], but of eloquence." Quintilian's abstraction of "Cicero" from Cicero did not happen overnight, but rather after what Gowing (2013: 234) has also called "a century of (relative) silence." Many examples of such silence could be provided (see Gowing 2013: 234–239), but for the purposes of the present discussion, one will suffice: taking up literary history where Cicero left it in his dialogue the *Brutus*, Tacitus's probable model for the *Dialogue on Orators* (Stroup 2010: 272f., cf. Mayer 2001: 27–31), the Augustan poet Horace (65–8 B.C.E.) wrote a letter to

3 See Levene 2004: 190f. On Aper as Ciceronian, see Champion 1994: 154–6, Michel 1962: 104f. Cf. Quint. *I.O.* 12.10.12 with Rötzer 1979: 22f. Except where indicated, all translations are mine. The texts consulted throughout are Wilkins 1903, Mayer 2001, Brink 1982, Russell 2001, and Préchac 1972.

4 Jauss 2005: 330. Supposedly as "old as literature itself" (see Rötzer presently) the "quarrel between the ancients and the moderns" was institutionalized in the formation of French classicism, on which see De Jean 1997: 31–123, cf. de Man 1983: 153–6, Jauss 2005: 350f.; English background in Baron 1959 (cf. Buck 1958), cf. Rigault 1856, esp. 11–16, where note esp. Tacitus's *Dialogue*; overview, in German, in Rötzer 1979: 5f., building throughout on Jauss, e.g., 1982: 47f., 62f., 2005: 330f.; cf. Compagnon 1994: 5–13, Jameson 2002: 18–22.

the emperor in which he *first* introduced the quarrel between the ancients and the moderns as precisely that. There, as we'll see in the next section, it was not primarily a quarrel over styles, but rather just what Tacitus's Aper said it was when he (erroneously) attributed it to Cicero; at the same time, just as Tacitus's Aper will not mention Horace, Horace will pass over Cicero in silence.⁵

The process of abstraction, substitution, and identification by which Cicero passes through the silence of *Cicero* and becomes "Cicero" in these various iterations of the quarrel is the subject of this inquiry into the reception of the orator, politician, philosopher, and human being. The first stage of the process is Cicero's paradoxical combination of politics and aesthetics in his late work: on the line of argument that I advance, Cicero's aesthetic status does not exist at a remove from his political status, but rather his "authority as an orator and writer" is *just the other side of* the "clout" that, "as a historical figure[,] he possesses."⁶ The second, related stage of the process is the various Romans' repeated omission of Cicero, which constitutes Cicero's ostensible relegation to aesthetic as opposed to political authority and which, I argue, Cicero himself initiated. Marginalized from the real world of political struggle, worried about his social standing and historical legacy, Cicero resorted to a world beyond this world, a world of aesthetic ideality, grounded in his understanding of Plato's ideas of transcendence and separated from politics in the way Emmanuelle Narducci describes (1997: 9, my italics): "Various formulated, the relation between culture and civic engagement is constantly at the center of Cicero's thought: with the passing of the years, he begins to progressively accentuate that aspect of *relative independence* of the first from the second." The "relative independence" of "culture" from "civic engagement" emerges in the relative disembedding (autonomization) of the aesthetic from politics; this disembedding, I suggest, is first thoroughly codified in Cicero's late rhetorical theory and gives the aesthetic something like its modern meaning, at least

5 For the quarrel about the quarrel in modern scholarship—when *did* it begin?—see Rötzer 1979: 11f. Otherwise, see Rigault 1856: 13: "I am only surprised that the author of the *Dialogue on Orators* . . . dispenses with citing the name of the poet who provides him with his argument, unless it is because the partisan of the moderns [*partisan des modernes*] is afraid to commit the absurdity [*inconséquence*] of invoking the authority of an ancient"—one rather uncomfortable with his own citable status: Feeney 2009: 29f., 32–4.

6 See Gowing 2013: 249f., who (following Connolly 2007: 256) writes (245): "But Ciceronianism is not synonymous with Republicanism. Rather Quintilian's Ciceronianism aims at the cultivation of . . . the 'good man skilled at speaking' (*Inst.* 12.1.1) . . ." But were ethics (living well) and aesthetics (speaking well) *really* no longer relevant to the political inclusion of the Roman elite? See Gowing 2013: 247f., with more in §§4–5 below.

for the Roman.⁷ With his resort to this domain, Cicero's erasure (as, so to speak, *Cicero*) becomes possible, even as his persistence under erasure makes it *concurrently* possible for him to reclaim political relevance, through aestheticization, as both the same and different, and hence as "Cicero," later on.

This is, to be sure, the dynamic that students of Roman culture associate with the Roman practice of exemplarity in general—that certain Romans, associated with certain ideals, such as moderation, courage, integrity, moral seriousness, become the byword for that ideal in later ages.⁸ In contrast with the usual aspects of exemplarity, which Gowing has shown do not apply to Cicero before Quintilian, I am arguing here that Cicero's late exemplarity is special: put under erasure, the person is evacuated of his content—that is to say, his social, political, and historical particularity—and thus becomes "pure form" precisely on analogy with the Platonic Form which he himself, in his experience of marginalization from the world, introduced in his personal effort to transcend the new developments in his personal (social, historical, and political) situation.⁹ The result of such a process is, in effect, *exactly* what Alain Gowing finds in his analysis of Seneca's "relative silence" over Cicero: the next great orator, philosopher, and politician implicitly emulated his great predecessor and thus had nothing to say about him.¹⁰ In doing so, Seneca identified with "Cicero" through *Cicero*, and thus not with the *content* but with the

7 An autonomous sphere, accessible through the matter of experience, including the complex form of its organization that we call politics, the aesthetic is nevertheless not reducible to politics: see, e.g., Rancière 2005: 12f., 42–5. In this context, the properly modern division of labor between mental and manual (Jameson 2002: 69f., 82–4) is anticipated in Cicero's division of labor between political and aesthetic (cf. Sall. *Cat.* 3f.). On the autonomization of the latter in modernity, see Bourdieu 1996: 121–31, 154, 227, 239–49. On the parallel disembedding of autonomous discourses (i.e. theories, *rationes*) in the Republic, see Connolly 2007: 65–76. James Porter 2010: 26–40, 53–6 argues against the "autonomization," even "relative," of the aesthetic, but does so by restricting the discussion to *only the basic forms of organization of matter*, as experienced and theorized in antiquity, but always short of the alternative political forms of organizing matter. Parenthesizing the political in yet another way, with a view to modern experience of ancient literature (reception, etc.), Martindale 2005: 127–9 raises the question of what the Ancient Roman did to become modern to begin with. Cf. Too 1998: 5–12.

8 See, e.g., Roller 2009; additional discussion and documentation in Dressler 2012: 147–151.

9 "Pure form" from Lowrie 2008: 174 in the question, "Can the *exemplum* ever escape its own moral weight and become pure form?" Cf. Dressler 2012: 169f.

10 Gowing 2013: 239–243, "an often unspoken standard against which [Seneca] measures himself and others" (240, cf. 249). Similarly, in Vitruvius, "Cicero's method matters as much as, if not more than, the substance of his work" (Gowing 2013: 236, cf. 237, 243 n. 32, 246f.).

form of Cicero—Cicero as the method, style, mode, and Platonic Idea that Quintilian finally names.¹¹

Following Tacitus's *Aper* in reading Cicero's quarrel in terms of what it will become, I will argue that the combination of the paradoxical relation politics/aesthetics with Cicero's own participation in his effacement puts Cicero in the position, if not of being the first "modern," then at least of being what will *become* the first modern in reception.¹² Nor, by "modern" here, do I *only* mean that Cicero occupies the *position* in the quarrel that will become modern. I also mean that the experience of Cicero as encoded in his late rhetorical theory and extrapolated in the reception of that theory and its theorist by later recipients was the means by which they too experienced and expressed many of the characteristics of modernity that we proper "moderns" ascribe to it today. As paradoxical as *this* sounds (Cicero: not modern, ancient; not ancient, actually *ancient modern*; not only ancient modern, but also *first* ancient modern, with other—possibly also first—moderns to come, e.g. Horace, *Aper*, etc.: Lowrie 2009: 245–7), it is theoretically intelligible in view of Frederic Jameson's plausible linguistic formulation of the concept (2002: 19): "'modern' demands to be ranged under the category of . . . 'shifters': namely those empty vehicles of 'deixis' or reference to the context of enunciation, whose meaning and content vary from speaker to speaker throughout time."

In the vein of Jameson's linguistic insight, the first characteristic of modernity that I have in mind in calling Cicero, on reception, the first modern, is the very innovation of periodization and determination of rupture as such. The second characteristic, associated with social theorist of modernity Zygmunt Bauman (2000: 8f.), is that, supposedly in modernity proper, space and time "are separated from each other . . . as independent categories of strategy and action." Considering that, as we'll see, Cicero's quarrel was first posed across the spatial boundary of East and West, and only later became, in Horace and company, explicitly a quarrel across the temporal boundary of old and the

11 On "method" as harbinger of modernity, on which more instantly, compare Descartes' *Discourse on the Method* (see below) and see Jameson 1998: 45f. For the relevant etymology (Lat. *modus*, "style, manner," → "modern," cf. *modo* "just now"), see Jauss 2005: 333; cf. Compagnon 1994: 5f.

12 On one influential intervention (Martindale 2006), Cicero's *becoming* modern in reception makes it possible that he "was" such a modern to begin with. That his own experience of modernity is not quite modern may make him more modern still (Jauss 2005: 329): "if one looks back over [the literary tradition of modernity], it seems evident that it has always already forfeited, though historical repetition, the very claim it sets out to make," whence what Berman 1982: 17 terms "this sense of living in two worlds simultaneously"; cf. Compagnon 1994: 9, 12f., Bauman 2000: 8f.

new, "Cicero's quarrels," taken together, codify this very separation of space and time.

Of course, in contrast to individuals usually taken to represent the advent of the modern—Bacon and Descartes around the Scientific Revolution or Marx and Baudelaire around the Industrial—Cicero's experience of modernity as the coalescence of increasingly divided elements, both in his life and after, is serial, not simultaneous:¹³ that it occurs *in* him, but not for him, *about* him, even if maybe not by his own lights, nevertheless makes Cicero's experience modern in another, probably more profound way. Here I am thinking of Cicero's *alienation* from politics at the end of his life, and the model that Cicero's response to that alienation provided for subsequent Roman experiences of social and political enfranchisement.¹⁴ Such experiences themselves expressed the initially alienated condition of the upstart ("new man" in Cicero's time, later colonial subject: more below), which includes nearly every constituent of Roman culture in the paradoxically conservative *and* dynamic world of the Roman elite. Ciceronian alienation, combined with enfranchisement through culture and expressed in terms of a Platonic experience of aesthetic ideality, would then, in the reception of Roman after Roman, become collective, at least in reception, and so exhibit a *class character*, making it parallel to modernity proper in yet another way: the experience of this paradoxical ideality, this apprehension of modernity as dislocation from present conditions, shifts from individual to individual in space and time even as it remains somehow the same.¹⁵

In what follows, I will thus argue that Cicero the *person* (orator, politician, etc.) becomes "Cicero" the word for eloquence because he experiences such a "modern" alienation from himself and then, through his very erasure (Cicero as omitted from the standard record of Roman examples), becomes the template for (exemplum, paradigm, Form of) alienation and enfranchisement through culture. As a result of the salience of alienation in the process of Cicero becoming "Cicero," one can in fact argue, as I will do, that Cicero is *all the more modern* precisely when he *is not named* in the

13 All engage in the quarrel: Descartes in the *Discourse on the Method* (A.T. 6.5: "And finally our age seemed to me to be just as flourishing and as fertile in good minds as any of the preceding age"), Bacon, *Nov. Org.* 1.84, with Buck 1958: 529f., 532–5; on Marx, see Berman 1982: 133, cf. 157, drawing on Benjamin 1973: 11–34, esp. 12–16, cf. Rosenberg 1958: 154–77, and on Baudelaire (see epigraph), Jauss 2005: 362–4.

14 For attestations of Cicero's alienation, see *Brut.* 330, cf. *Att.* 2.18.1f. from 59 B.C.E., *Att.* 12.23.1, also *Off.* 1.114, with Wirzsubski 1950: 75, 78, 89f. See, in general, Baraz 2012: 1–10, 67–95.

15 For the basis of the paradoxical phrase, "aesthetic ideality," see Martindale 2005: 63. On the collective criterion of modern temporality, see Jameson 2002: 18. On alienation, see, e.g., Zaretsky 1976: 56–61, 65f.

tradition: Cicero realizes himself in his very alienation when, for instance, Horace “names” not Cicero but *Ciceerø* (in other words, does *not* name him at all). Quintilian’s final affirmation of “Cicero” over Cicero is thus only the latest flowering and figural explication of what was already implicit in the silence over Cicero in Rome: that is to say, it is the naming of *Ciceerø* as a function available to each Roman who breaks with the past in the form of the prevailing distribution of social, historical, and political conditions, and makes a place for himself in the old and makes it new. The new Roman does so, each and every time, on the model of a Cicero who became “Cicero” and made a place for future “Ciceros” by becoming *Ciceerø*.

2 “This Sense of Living in Two Worlds Simultaneously”: A Genealogy of Quarrels

As briefly mentioned, Cicero’s first quarrel, the quarrel to which Tacitus’s *Aper* refers when he cites Cicero as the authority for forsaking Cicero, was *not* directly a quarrel between the ancients and the moderns but rather a quarrel between places: Athens and Asia. In this section, I’ll trace a genealogy of the quarrels as they emerge in reception from spatial to temporal in order to establish the range of strategies that becomes available to each recipient of the quarrel. In part, as we’ll see, the reason for the continued recourse to Cicero’s quarrel is that, by the time he finally formulates it in his late rhetorical theory, he attempts to resolve it with reference to a kind of transcendent aesthetic standard, on the model of the famous Platonic Ideas.¹⁶ At the same time, the supposition of this absolute has the indirect effect of shoring up the relative by throwing into clearer relief the variety of different standards of aesthetic excellence that proliferate in the direction of the absolute. The combination of these two positions, absolute (Platonic, transcendent) and relative (historicist, immanent), become thereafter part and parcel of the quarrel for Cicero’s direct and indirect recipients.¹⁷

Already in Cicero, writing at his most mature and maybe most embattled moment (45 B.C.E.), the quarrel between places and the styles associated with them was repackaged as quarreling as such, that is, as a question of social and historical relativity represented by the choice of styles in the face of the possibly absolute, and even transcendent standards of value and judgment (*Orat.* 3):

16 To Cicero’s aesthetic Platonism will correspond absolute, as opposed to relative, beauty: Jauss 2005: 345, 349f.

17 Cf. Gorman 2002: 82f. on “grounding, rooting and embedding” as the form of historicism, as compared with aestheticism and transcendence, in Horace’s *Odes*.

You, then, ask, pretty often too, what is the style of eloquence of which I most approve, what quality of it seems to me to admit of no improvement and is, as I judge, the best and most fully realized [*summum et perfectissimum*].

If *summum* is “greatest” and “best,” *perfectissimum* means “most fully realized,” and even, in the parlance of ancient philosophy, most identical with its *telos* or natural end. With this preface to his work, Cicero is already thinking of the conflict of aesthetic styles that will become the quarrel between the ancients and the moderns. Observation of the intertextual development of Cicero’s formulation confirms this. Not only does Aper in Tacitus’s *Dialogue* cite Cicero as the authority for the conflict, but Tacitus himself in the preface of the *Dialogue* also clearly alludes to this very passage: (*Dial.* 1.1): “Often you ask me [*saepe me ex requiris*] . . . why, we do not call anyone by [the] name [of orator] except for the ancients [*antiquos*], and the educated people of our time are called pleaders, advocates, supporters and anything at all you like except for ‘orators.’” With this development of the motif of motivation (“often you ask”: see Mayer 2001: 87), the future historian Tacitus fuses to the question of style and the realization of the possibility of absolute aesthetic perfection (*summum et perfectissimum*) the historical question of temporal development, maturation, and decline—in short, of difference.

In the course of the *Orator*, the choice of styles that Cicero has in mind in the preface comes to expression in literally local terms, emerging in the Roman reception of Greek literary history and theory (*Or.* 28f.):

Those who fashion themselves by the standard of the polished and scrupulous ears of the ‘Atticists’ [*Atticorum*], must be supposed to speak in ‘Attic style’ [*Attice*]. But there are more kinds of these styles. They take consideration of only what one of the styles is. For they think the person who speaks in a bristling and unreflective style, as long as he does it in a neat and precise way, is alone a speaker in ‘Attic’ style. But they are wrong that this is the only style. That it is ‘Attic,’ they are not mistaken. But then, by the judgment of these people, if that alone is ‘Attic,’ then not even Pericles himself spoke ‘Attic’ [*Attice*].

If tradition regarded Pericles as one of the chiefs of Athenian orators, any definition of the “Attic” style that could not accommodate him would certainly be tendentious.¹⁸ Cicero’s argument in this instance thus turns on the differential

18 A proper modern, James Porter makes use of the same strategy in his critique of the (Hellenic) version of the quarrel: 2006a: 35f.

character of space. Romans “today” look at their contemporaries, such as Cicero, and argue that his style has departed from a purer, and indeed more masculine standard of the past. Since the past, for them, is exemplified by a single city, Athens, Cicero can respond to their allegation with the unquestionable claim that such a city can naturally accommodate diverse styles, “masculine” or otherwise, establishing the quarrel even as he destroys it by subsuming space to time and exploiting the differential character of the former.¹⁹

It is probably no coincidence that the temporal aspect of this quarrel comes to expression in the temporally later reception of Tacitus’s contemporary, Quintilian. Betraying none of the misgivings about Cicero that Tacitus’s *Aper* did, Quintilian’s textbook treatment of the quarrel fortifies Cicero’s spaces with the language of gender and imperialism even as he surreptitiously still admits a historical dimension (*I.O.* 12.10.16–27, at 16):

Ancient [*antiqua*] is the distinction between “Atticists” and “Asianists,” with the former held compact and inviolate, the latter, in contrast, puffy and ineffectual; in the former, nothing was in excess, in the latter judgment and moderation [*modus*] were especially lacking. Some . . . think that this happened because, when the Greek language was seeping little by little into the neighboring cities of Asia, people who were not yet sufficiently educated passionately longed for eloquence, and so what they could have expressed in the right way they began to declaim with circumlocution and then continued like this.

Although he starts with a temporal marker (“*ancient* is the distinction between—Athenians and Asians”), Quintilian persists in making the quarrel a matter of place, not time. At the same time, his fuller exposition of the origin of the quarrel connects it with other political references for Romans: not just East and West, but also masculine and feminine, always synonymous in Rome with moderate and immoderate, stayed and excitable, active and passive and, synonymous with active and passive in turn, colonizer and colonized.²⁰

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- 19 *Orat.* 27–30; also *Brut.* 51, 67–70 (*antiquitas*), 167, 172 (actual Athenians and Asians), 284–291 (Roman “Atticists” and “Asianists”), cf. 315, 325. In a slightly different vein (Rötzer 1979: 21), note *Latinus ἀττικισμός* (“Latin Atticism”) at *Cic. Att.* 4.19.1, cf. *Orat.* 76–90. Good introductions include Wisse 1995, O’Sullivan 1997, Porter 2006a: 35–39, cf. Citroni 2006.
- 20 Quintilian’s formulations are lifted from *Cic. Brut.* 51. Masculine in association are *pressi* and *integri*; *concupierint* denotes licentiousness, which is also associated, through gender-differential assumptions of immoderation (*modus deesset*) with women in the ancient world: see, e.g., Richlin 1997: 106f., Connolly 2007: 113–17, 214–23, cf. Altman 2009: 411–414.

In spite of these conspicuous spatial markers, Quintilian's parable of the origin of the quarrel in failed Athenian cultural imperialism emphasizes its temporal dimension, first with the implicit temporalization with which he begins ("Ancient is . . .") and then, explicitly, in the "little by little" seepage of the language and the immoderate passion of the originally "Asian" recipients of "Athenian" eloquence. Parallel to Berman's definition of modernity in the epigraph of this chapter, Quintilian's colonial subjects find themselves the objects of historical change in the form of Athenian cultural imperialism. In their effort to make themselves the subjects of this process of "Atticization"/"modernization," the colonial subjects turn the processual character of their own education against their colonial educator, in a kind of "counter-modernization" that affirms the very aberrations of learning and appropriates the colonizer's impropriety.²¹

The sensitivity of Quintilian and Tacitus's *Aper* to the historical aspect of the quarrel derived no doubt from another quarrelist, more glorious to their point than even Cicero, the Augustan, erstwhile "Golden Age" poet, Horace. The first to formulate the quarrel between the ancients and the moderns in explicitly temporal terms, Horace is also the first to make the political character of the quarrel explicit, at the time when he was acutely sensitive, not only to the effects of time on literature and art, but also to the effects of history—that is, of time as measured by politics—on society. At this point, as Denis Feeney gives us reason to recognize (2002: 187, 176), Vergil has become "Vergil," and Horace has become "Horace"—that is, Rome's poets *par excellence*, the former for his epic, the *Aeneid*, and the latter for his lyric, *Odes*, Books 1–3.²²

Although in the *Letter to Augustus*, Horace does not mention Cicero, there is plenty of reason to suspect that the dead philosopher, politician, orator, and sometime poet was on his mind when he made his temporal innovation in the quarrel. Cicero's status at the end of his life was not only such that, as Gowing has suggested (2012: 233), it would be hard *not* to think about him. In addition, as Michèle Lowrie writes in the specific comparison of Cicero and Horace, the politician and poet actually have a lot in common (2002: 158):

21 Compare "modernization," as of the "third world," in modernity proper: Jameson 2002: 6–8.

22 More in §3 below. In the meantime, cf. Horace himself, in prospect (*Epist.* 1.20.17f., trans. Rudd 2005: 107): "This, too, lies ahead: when mumbling age overtakes you, / you'll be teaching children how to read at the end of the street," i.e. as textbook; cf. *Sat.* 1.10.74f. with Tarrant 2007: 64. See Feeney 2009: 22–24, 28–32, cf. Eidenow 2009: 84–6. On the part of the future in the modern, see Compagnon 1994: 31–3.

[P]oets with a philosophical bent, Republicans who came down on the losing side of civil war in the wake of Caesar's assassination but nevertheless admired the man who became Augustus, authors preoccupied with their own immortality and who thought hard about art's commemorative task.

Lowrie's piece in particular is essential reading for anyone who wants to understand the always-political character of Horace's ostensibly most aesthetic interventions. Horace will make it clear for his own part when, in his letter to Augustus written well after the emperor's consolidation of power, as we've heard and now will see, the poet resuscitates Cicero's quarrel, makes it explicitly temporal, and *does not name Cicero* (*Epist.* 2.1.18–33, trans. Rudd 2005: 108f.):

But this people of yours, though wise and right in exalting
 you alone above other rulers, Greek or Roman,
 judges everything else by quite a different system
 and standard: unless a thing has patently had its day
 and passed from the scene, they treat it with disgust and aversion.
 They are so biased in favour of the old, they like to insist
 that the criminal code which the Ten enacted, the regal treatises
 fairly struck with Gabii's men or the tough old Sabines,
 the pontiffs' ancient tomes and the musty scrolls of the prophets
 were all proclaimed on the Alban Mount by the Muses in person!
 True—with the Greeks the oldest writing in every genre
 is quite the best. But if, in consequence, Roman writers
 are judged by the same procedure, we needn't go any further—
 a nut hasn't a shell; there's no stone in an olive!
 Rome as a country is top dog; so of course it follows
 that in painting, music and wrestling we surpass the oily Achaeans!

Here, the poet-critic reconfigures the quarrel from one that centers on place (Athens/Asia), with time implied (before/after the cultural imperialism of classical Athens), to one that centers on time (old/new), with a full range of distinctions and sub-distinctions including but not limited to place: to Greece old and new is correlated Greek good and bad (quality is, in other words, correlated to quantity); to Latin old and new is correlated Rome urban and rural ("has patently had its day [*defuncta*: time]/ and *passed from the scene*," viz. "been removed" [*semota*]: space); note also "ancient tomes" (*annosa volumina*) for time and "Alban mount" for space. Thus, before the likes of Tacitus and Quintilian, Horace *reverses* the temporal and spatial tenors of the quarrel, even

as he *maintains* the latter aspect in a subordinate role, thereby politicizing and historicizing time. The ostensibly aesthetic question of canonicity becomes a question of recognizing the merit of the new, as the new (and later modern) is identified no longer with the geopolitical quarrel between Asia and Athens, but rather with the quarrel between the *new* Athens, which is Rome, and the *new* Asia, which includes not only "Asia" proper and old Athens, but even Rome and Latium—all of Rome's actually historically conquered subjects.

If Quintilian introduced Asianism as a form of imaginary counter-modernization staged in resistance to the Athenian imperialist, the quarrel between the ancients and the moderns in the account of Tacitus's Aper will furnish a similar strategy for another, subtler form of resistance—resistance to the past, and even historicity, as such. Aper will, in short, intensify the problematization of identity over time—being an Asian the same as an Athenian, being a Modern the same as an Ancient—to a problem of identity in place: he returns to Cicero's deconstruction of the spatial dimension of the quarrel, only with a very specific, post-Horatian sense of historical particularity. The first stage in this process is to question the very category of the ancient, following Horace (*Dial.* 16.5–7): "When I hear 'ancients,' I think of some old people, born once upon a time, and I imagine Ulysses and Nestor . . ." The second stage is to specify the degrees or measures of time itself in terms of actual, specific historical detail (*Dial.* 17.2–4, 7):

For, to speak of Cicero himself, certainly in the consulship of Hirtius and Pansa, as his freedman Tiro writes, he was killed on the Ides of December . . . Soon divine Augustus ruled the republic; add twenty-three years for Tiberius, about four for Gaius [Caligula] . . . It has been 120 years since the death of Cicero to this day—the age of a single man. For I once saw an old man in England who swore that he was at the battle in which they attacked Caesar . . . And you call these orators "ancient" [*antiquos*] and "of old" [*veteres*], when the ears of the very same men will be able to recognize them and, so to speak, put them together in a couple!

Briefer and more revealingly paradoxical is one of modernity proper's most colorful recipients of the quarrel, Hippolyte Rigault (1856: 13, cf. n. 26 below): "There are no ancients, there are no moderns. *Voilà*, the argument of Aper."

With this proper deconstruction of the idea of the ancient—by using the ancient we show that there is no ancient—Aper redeploys in time the strategy that Cicero deployed in space precisely as a problem of identity about the Roman present: not all ancients are the same, the ancient is not ancient only, and so the ancient may be modern, too; moreover: not all Romans are ancient,

therefore all Romans may be modern, therefore we Romans are both ancient and modern, that is to say—*like Cicero*—both the same as and also different from ourselves. The question left hanging in Aper's specific focus on Cicero is, of course, the question of Romanness in general. His treatment of the question puts the point on this when he introduces (Greek and Ancient) Ulysses and Nestor and, for that matter, the ("modern" and even "British") colonial subject. At any rate, with the actual specific naming of Cicero in Aper's post-Horatian and historicist deconstruction of time and space and difference and identity, Cicero—person or personification—finally acquires the capacity to be both the same as and also different from himself and therefore also the same as and also different from us. In other words, Cicero becomes both ancient and modern and us and not-us at the same time, by becoming both himself (Cicero) and something else ("Cicero") where it is with the latter that "we" "modern" "Romans" can identify. This he became *after* he had become Cicerō in Horace.

The question of Romanness that all this raises will be left to the final sections of this paper; in the meantime it is worth turning Aper's deconstruction of the distinction ancient/modern on ourselves, to the extent that we are (ostensibly) modern and Aper and company are (ostensibly) ancient. To do this, we return to a formulation of the modern considered above (§1), only this time in the spirit of acting as our own quarrelists in the dialectic of reception (Bauman 2000: 8f.; see §1 above):

Modernity starts when space and time are separated from living practice and from each other and so become ready to be theorized as distinct and mutually dependent categories of strategy and action, when they cease to be, as they used to be in long pre-modern centuries, intertwined and so barely distinguishable aspects of living experience, locked in stable and apparently invulnerable one-to-one correspondence.

With whatever duration and periodicity, the extension of the quarrel in Cicero from one in space to one in time reveals at least an implicit recognition, and perhaps, if such is possible, implicit, even immanent *theorization* (cf. Dressler 2012: 154f.), of "space and time . . . as distinct and mutually dependent categories." Are space and time, as Bauman would "later" claim uniquely for his modern-moderns also for our "earlier" ancient-moderns (Cicero, Horace, Tacitus, Quintilian), "distinct and mutually dependent *categories of strategy and action*?"

This raises the question of the character and definition of strategy and action, as it relates to the ostensibly aesthetic question of the choice of styles—Asian or Athenian, Ancient or Modern, in the transition from "antiquity"

(Cicero, Horace, Tacitus) to “modernity” (e.g., Baudelaire, Berman, Bauman). To the extent that the relevant terms can continue to be deployed anew in each and every new development in social and historical context, the continual permutations of the quarrel reveal that it was either always or at any rate “now” already basically a repository of strategies and site of action, especially the very strategy of making the break with the claim “modernity starts here.” At the same time, as we’ll see in the next section, the ability to make this break, time and again, between here and there and then and now and space and time, requires recourse to another plane or field, over and above the various planes or fields of break after break, especially if the claim of rupture is to be made, as it evidently is, time and again and in place after place. In other words, we ought to ask, where is this “site of action”—past or present, here or there—that is the venue of permutation of Cicero’s quarrels? For Cicero, as already discussed, it was a higher plane, demarcated as a kind of aesthetic field, and understood most simply as a kind of supplement to everything that can be demarcated in the fields of politics, society, and history (cf. Rancière 2004: 13). It is, in short, everything that politics, society, and history are not, even as it somehow continues to refer to politics, society and history.

3 We Were Never Cicero: Plato, Horace, and the Angel of History

With the constant drawing of the line between here and there and then and now and finally between space and time themselves, the constant repetition of the quarrel requires a field of coherence distinct from each of these dimensions. Each drawing of the line, in other words, combined with the possible infinity of such demarcations, draws attention to the domain in which all lines drawn cohere from a single vantage and form a plane. The repetition of the quarrel invites, in short, the supposition of a kind of transcendent field, which is the essence of the middle Platonism that Cicero is the first extant philosopher to codify (Gersh 1986: 53–71, esp. 77–79) and which Quintilian in his literal nominalism does not quite name, except as “Cicero,” but which Cicero in his more desperate final days sought out with his fantastic reception of Platonic metaphysics. In doing so, he codified for the West, maybe even more than the authority whom he cited for the idea, the very idea of the Platonic Ideas (*Orat.* 10):

He [Plato] denies that these admit of beginning and he says that they always exist and are delimited in reason and thought; other things are born, die, flow, slip away and do not exist for long in one and the same place. Whatever it is, then, about which one debates with reason and

method, it must be restored to the ultimate shape [*formam*] and specific instance [*speciem*] of its kind.

Cicero develops this description, again, in his late work called the *Orator*, using it to furnish a model or “Idea” of nothing less than the ideal orator. In seeking not “who” (*quis*) the ideal orator “was” (*fuerit*), but rather “what it is” (*quid sit illud*, *Orat.* 7), the orator turned rhetorical theorist lays the groundwork for his own eventual evacuation into “Cicero,” that is, his later transformation from a person to a personification, something extracted from social and historical particularity (note the difference in tense: “was” and “is”), as Quintilian will enter the tradition and answer the question of, not who, but “what it is” with one word: “Cicero.” On the other hand, in making this profound distinction between individual and ideal, Cicero also lays the groundwork for the recognition of difference as such—that is, not only for his own late “transcendentalism” (and later personal transcendence: Cicero → “Cicero”), but also for the form of historicism that Tacitus brings to bear on the question of who/what the ideal orator was/is. Historicism, in this connection, is the recognition of difference, in time, that stops just short of the recognition and supposition of difference as such in the form of the Platonic Idea.

The interrelationship of Ciceronian transcendence and Tacitean historicism appears when we turn from Cicero on the verge of becoming *Cicero*, scrubbed of his particulars and banking on the future to make him “Cicero.”²³ After listing the oratorical greats from different generations of the Roman Republic, Aper says (*Dial.* 18.3):

Nor am I investigating who is the most refined. I have contented myself to have proven this, that eloquence does not have a single face [*uultus*], but that among those whom you call the ‘ancients,’ many species [*species*] can be detected *and what is different* [*diversum*] *is not, just like that, worse.*

As if responding to Tacitus’s characterization of him as one who would argue the different part in the preface (*partem diversam*), Aper here develops what looks like relativism in descriptive and evaluative directions: descriptively, he suggests, “different people, different tastes”; evaluatively, he suggests, “different tastes, and it’s all OK” (*de gustibus non disputandum est*).²⁴ It goes some way to

23 So Williams 1978: 35; Levene 2004: 177f.; Michel 1962: 106. See further Buck 1958: 534–6, Baron 1959: 19–21.

24 Costa 1969: 21 calls him “a realist and a pragmatist.” See also Tac. *Ann.* 4.55.5 with Döpp 1989: 80–2, cf. Syme 1970: 139f., Brink 1993: 335f., cf. Costa 1969: 23f., 31, developed by Champion 1994: 15.

explaining the traditionally “baffling” status of Tacitus’s *Dialogue* (cf. Dressler 2013: 3) that Aper’s position comes very close to one of Kant’s most famous “antinomies,” which Hannah Arendt (1992: 62–5 at 63) declared “at least as old as Latin (as distinguished from Greek) antiquity” and cited Cicero to support (*De or.* 3.195, 197): the antinomy is, in a word, that matters of aesthetic taste are somehow simultaneously subjective, and hence incommunicable, *and* admissible of judgment, and hence collective. By referring Cicero’s Kantian antinomy to a specific historical context, Aper suggests that one way of resolving the antinomies of aesthetic judgment is by means of relativism, rooted in skepticism, tantamount to historicism: recognizing the constant variety of the so-called ideal ancients, Aper does not resort to the Ciceronian attempt to transcend their aesthetic and political differences but rather celebrates difference as the basis of the legitimacy of his contemporaries’ (the “moderns’”) difference.²⁵

Rejecting Ciceronian transcendence, Aper’s historicist resolution of the question of aesthetic difference was provided for him, not by a proper rhetorical theorist, but rather by a historian, in whose eye it was probably difficult not to see a refusal to accept history in Cicero’s Platonic strategy. The flight from immanence to transcendence as the ground for immutable determinations of identity—never born, never slipping away, always identical—is nevertheless caught up in one’s ultimate inability to ever fully shed one’s socio-historical baggage. An example of this may be that Cicero, consummate transcendentalist that he became in his late work, was evidently not above mobilizing the very vocabulary of sexual difference, imperial aggression, and general classism that would become, as we saw in Quintilian’s parable of the origin of the quarrel, a constant feature of the determination of aesthetic difference in the selection of the styles in antiquity (see n. 20 above). This classism, imperialism, and masculinism are perfectly evident when Aper attempts most forcefully to break with the past and make a place in the present for the diversity of his contemporaries—again on the model of the diversity of the putative authorities of the past; thus, he reminds his interlocutors that each great orator of Cicero’s generation took issue with the style of every other (*Dial.* 16.5f.):

25 Jameson 2002: 22: “The conclusion on both sides [of the quarrel] is then that the past, and antiquity, is neither superior nor inferior, but simply different. This is the moment of the birth of historicity as such . . .” For Aper’s skeptical strategy, see LS 72K, esp. 5 and 11, with Barnes 1990: 1–35. On the same in the history of literary history, see Jauss 2005: 345–7, cf. Jameson 2002: 22–9; on the Platonist alternative, Jauss 1982: 64f.; cf. Martindale 1993: 14, 17.

Calvus seemed bloodless and worn-out to Cicero . . . Brutus seemed like someone disheveled and lazy, and Cicero, on the other hand, sounded to Calvus like he was undressed and emasculated, and to Brutus, too, to quote the man himself, like he was “limp and lame.” If you ask me, *they all seem to have told the truth.*

Aper accepts, and even seems to revel in, the impossibility of being identical with the past as a condition of freedom since it simply recapitulates the inability of the past to be identical with itself—that is, the difference or dispute, recorded here, between authorities supposed to know. His argument seems to be that, if the past is not identical with itself, we are not identical with the past, and if we are not identical with the past, then we are free to speak and act as we like. But the door of deconstruction swings both ways, and Tacitus’s Aper opens himself to a profounder crisis in identity without realizing it since, in point of fact—witness his imperialism, masculinism, and classism—he is doing just what the orators of the past did on his own reading. And so if the past is alienated from itself in the inevitability of progress that makes it possible to be modern, the modern is alienated from itself to the degree that the past continues to obtain therein.²⁶

Aper’s identity crisis is very obvious on another reception, too: *our* reception of his remarks as critical readers, only one example of which is my insistence on their characteristic chauvinism. Exuberant as he seems, then, Aper’s rejection of transcendence is just as problematic as Cicero’s flight to it. He does not escape from history—from “Cicero,” then—because he uses history as the basis of his attempt to escape from history. Exactly comparable is Marx’s insight into the use of the past made at a moment sometimes taken to end “modernity’s” (i.e. Romanticism’s) with classicism and begin modernity’s (i.e. modernity’s) quarrel with Romanticism (1848). When the historical materialist famously wrote that “the tradition of the dead generations weigh like a nightmare on the brain of the living,” he meant by “tradition of the dead generations” exactly the trappings of past *culture*, divested of its original context and abstracted to mere “names, battle-cries, and costume”; to these he claims individuals resort “just when they seem engaged in revolutionising themselves and things” and so “in creating something that has never yet existed.”²⁷ While Cicero did not exactly attempt to exorcise the ghosts of the past, with the Platonic Form of his orator ideal, I argue, he was thinking about them. When Quintilian specified

26 De Man 1983: 144–50, cf. 159, 161f., also Rosenberg 1959: 157.

27 Marx 1979 [1852]: 103f. See Rosenberg 1958: 154–77, 161–3, with Benjamin 1973: 11–34, esp. 12–16, and Berman 1982: 133, cf. 157.

the name of this Form as “Cicero,” he finished what Cicero started. In contrast to these individuals who attempted to grapple with the past with whatever success, the Apers of Rome, skeptics to the end, simply assert that they don’t believe in ghosts.

Mediating between Cicero and Quintilian is, on this argument, Horace, Aper’s unmentioned model who is thus, as Cicero was to him, himself *Horace*. Reformulating the quarrel from the geopolitical to temporal and reflecting in his hindsight the atrocities of the late Republic, whose victims included Cicero, the poet effectively removes himself from the sphere of strategy and action, even as this itself appears to be a form of strategy and action. In other words, by not mentioning Cicero even as he “does” Cicero, Horace explicitly identifies himself as “Horace,” the canonical poet (Eidenow 2009: 81–3). At the same time, and by necessity, the poet identifies himself as “Horace” precisely by identifying himself *with* Cicero. Cicero is, for him, the aesthetic theorist who is emphatically *not* a politician, and in identifying with him, Horace implicitly identifies himself as *Horace*, which Aper confirms in his failure to cite the poet (see n. 5). As a result of the elliptical character of the poet’s identification with the politician, the politician remains unnamed, while the poet effectively assassinates himself—only (fortunately for *Horace*) in art, not life.²⁸ He makes this as explicit as he can—I believe, because he knows what he is doing, unlike Aper—when he finishes his epistle to the *princeps* with a typical recusation of praise (Brink 1982: 257f., cf. Oliensis 1998: 151f.). Imagining himself in Augustus’s shoes, the poet cautions the *princeps* against trusting his reputation to dubious cultural investments of the kind with which, ironically or otherwise, Horace also identifies (*Epist.* 2.1.267–70, trans. Rudd 2005: 115):

I’d probably flush on receiving so coarse a tribute; in no time
I’d be laid in a closed box beside my poetic admirer,
then carried down the street that deals in perfume and incense
and pepper, and anything else that’s wrapped in useless pages.

Making the immanence of his place in history literal (the box in which he or his work is closed has been interpreted as a coffin: Brink 1982: 264f.), Horace has recourse to nothing other than the inventory of tomorrow’s trash. Part of the image that he uses for the disposal of yesterday’s poetry, the poetry of tomorrow’s “ancients,” itself derives from Cicero’s contemporary, erstwhile “modernist” Catullus: “The annals of Volusius (compare Horace’s voluminous annals:

28 Esp. marked after the “epitaphic” *Odes* 3.30: Eidenow 2009: 83f., 92f.

annosa volumina in the previous section) will die no further than Padua/providing baggy clothes to the mackerel forever.”²⁹

Like Cicero in the perspective of reception, Horace now appears in three forms: Horace the person, “Horace” the immortal poet, the classic (for which see *Odes* 1–3), and, the immanent counterpart to “Horace” the literary figure, *Hōraēē*, the figure for everything that makes Horace “Horace,” including but definitively not limited to Horace the actual person, “writing himself, or being written,” as Denis Feeney puts it in his discussion of the poet’s final works, “into a corner” (2002: 187, cf. 2009: 16–20, 37f.). What distinguishes Horace from Cicero in this respect, however, is that Cicero’s marginalization and transformation into *Cīcērō* occurred against the background of politics; Horace’s transformation into *Hōraēē* resulted from a marginalization to aesthetics—from aesthetics. By the time he gets to the *Epistle to Augustus*, Horace is thus merely making explicit what was for him already the case as compared with what *had become* the case, over the course of his life, for Cicero (Lowrie 2002: 158, Feeney 2002: 176f.).

Reformulated with attention to time, the experience of alienation explains why Horace changed the quarrel from a quarrel between places (Athens/Asia) to a quarrel between ages (ancient/modern). In contrast to Tacitus’s *Aper*, who identifies with the past in the form of “Cicero” as the condition of possibility, Horace identifies with the past as just the past, and hence with *Cīcērō*. He demonstrates this identification with his appropriation of literary history, the only domain that remains open to him, enacting the paradox of self-survival while looking back, in willful *Cīcērōnian* alienation, to his own fame and glory and revealing himself to be a historicist of a wholly different stamp than Tacitus’s *Aper*. Alive to history but, at this point, dead to the present, Horace resembles Benjamin’s “angel of history” (1968: 257f.): “His face is turned toward the past. Where we perceive a chain of events, he sees one single catastrophe which keeps piling wreckage and hurls it in front of his feet. The angel would like to stay, awaken the dead, and make whole what has been smashed. But a storm is blowing in from Paradise; it has got caught in his wings with such a violence that the angel can no longer close them. The storm irresistibly propels him into the future to which his back is turned, while the pile of debris before him grows skyward. This storm is what we call progress.”

29 Compare the salience of fashion (*la mode*, cf. *démodé*) in modernity: Compagnon 1994: 5f., Jauss 2005: 332, 349f.

4 “Back” to Tacitus: The Quarrelists between Immanence and Transcendence

Alongside the anxious nihilism of Horace's historicism, Aper's insouciance appears to depend on something else. It is not after all *only* “Cicero” or Cicerō whom Aper invokes but the combination of the two that results in a Cicero who authorizes difference by being himself both the same as and also different from the exemplars of “ancient” eloquence *and* the same as and also different from the exemplars of “modern” eloquence. In this section, I'll consider the positions of Aper and company as a single position (cf. Levene 2004): specifically, I'll argue that the position of the modernist only makes sense alongside that of his most direct interlocutor in Tacitus's *Dialogue*, the traditionalist, Messalla.³⁰ Effectively endorsing a new kind of transcendence, a new kind of Ciceronian Platonism, the position of the traditionalist Messalla combines with that of his modernist interlocutor and thus constitutes a kind of quasi-transcendence. It mediates between the disconnected Platonic Form of Cicero's ideal orator, and the immanence of Horace's poet's poet who turns his back, not only on politics, but also on aesthetics. Doubly negating history through the aesthetic, the poet returns to history by the backdoor with the mackerel. Combined as two dialectical parts of the same contradictory whole, Aper's modernism and Messalla's traditionalism use Ciceronianism as a means of bringing art back into contact with life—politics, society, history. By identifying with Cicero after Cicerō, they move in the opposite directions of immanence and transcendence at the same time, in a dynamic that Quintilian will name—reify, formalize—as “Cicero.”

Picking up on Aper's statement that there are different appearances, kinds, or “looks” of eloquence, Messalla says: “It does not matter that they differ in *species* [‘kind’ or ‘appearance’] from one another since they agree [*consentirent*] in *genus* [‘type’ or ‘family origin’]” (*Dial.* 25.4):

Calvus is tighter, Asinius is more vigorous, Caesar is grander, Caelius is fiercer, Brutus is more momentous, Cicero is more passionate and fuller and stronger: they all nevertheless maintain the same sanctity of eloquence, such that if you equally took up their books into your hands, you would know that, in geniuses so different, there was a kind of likeness of judgment and intent and kinship [*quandam iudicii ac uoluntatis similitudinem et cognationem*].

30 Significantly named after the great Augustan patron, second only to that of Horace, himself “the word for” patron in some (modern) languages: *mécène*, *mecenate*, *Mäzen*.

Here Messalla does not only attempt to top Aper by reference to a higher plane of likeness in formal terms in which all these men exhibit the shared trait of eloquence (cf. Plat. *Phdr.* 265c8–66d4). Rather, Messalla also suggests a justification for his shift to the higher plane, and the justification is that “literature”—here meaning simply the production of and inclusion in texts (witness “their books *in manibus*,”)—cleanses the Classics of their difference, canonizes, and “sanctifies” them all alike.³¹ This sameness of sanctification overrides any other differences, or “quarrels” (*dissimilitudines*) that they may have exhibited as orators. In highlighting the counterintuitive “similitude” of the “ancients,” Messalla also assimilates the language of literary critical resemblance, identified here through logical description (*species* and *genus*), to that of even affective likeness, *liking*, or at any rate “spirit” (*voluntas*).³²

A complex term in the history of ideas, *voluntas* can be interpreted as “will” but is closer to “intent,” “spirit,” “inclination,” or even “affection.”³³ Less mystically, more politically, at the end of a long tradition of such attempts to balance the material and economic aspects of experience with their putative social and psychological reflections, the famous Marxist Louis Althusser wrote (1970: 104–14, at 112):

The wills are so many forces; if they confront one another by twos in a simple situation their resultant is a *third force*, different from either but none the less common to both, and such that though neither can *recognize itself* in the third, each is none the less a party to it, that is, its co-author.

From Cicero to Marx, this “third force” partially transcends the determination of social and historical specificity. Quarrel as they may, Caesar and Cicero jointly author a “third force,” the synchronic aspect of the “tradition” that runs, with a variety of specific manifestations (*Cicero*, *Horace*, “Cicero,” “Horace,” etc.), from Cicero to Tacitus and beyond.

Similarly here in Messalla’s turn to the controversies of the past, a kind of “likeness,” and even paradoxical *liking*, of “will” (*voluntas*, *velle*), and “affinity” (*cognatio*), bind the “ancient” orators together both in and in spite of their personal and particular, social and historical quarrels (cf. Cic. *Arch.* 1.2). In a similar turn to the past for guidance, Tacitus’s contemporary, the rhetorical theorist Quintilian, also resorts to Cicero in Messallan fashion. Defending moral excel-

31 On the reading, see Mayer 2001: 169.

32 Cf. Cic. *Inv.* 1.32, Quint. *I.O.* 12.10.22; also Michel 1963: 104.

33 See *OLD*, s.v. 6, with Inwood 2005: 132–56.

lence as the precondition of optimal oratory, the theorist writes (*I.O.* 12.1.16): “And I do not notice that Cicero was in any way lacking the attitude [*voluntas*] of the best citizen.” This passage is one of Quintilian’s few discussions of what we would identify as political history, and yet even here the reference to Cicero’s “will” is abstracted from his political existence, as if Cicero’s *voluntas* were all that mattered and not, say, his resistance to the autocracy and allegiance to the losing cause in the Civil Wars. In this account of oratorical canonicity, then, Quintilian both recognizes and excludes Cicero’s entire political existence, producing a bifurcation between the orator and the man.³⁴ This division of parts (see chapter 11) directly parallels that between literary and political practice to which Horace resorted, only in the succession of time, as Cicero was, in Horace, a cultural *and* political figure and Horace was, in his own construal, *just* a cultural figure. What is remarkable about Quintilian’s Messallan canonization of Cicero, then, is how *un-Ciceronian* (and therefore *Ciceronian*) and truly Horatian (and therefore *Ciceronian*) it is. Compare one of Cicero’s commentators who is evidently only thinking of the Republican and not the post-Horatian, Messallan and Quintilianic aspect of “Cicero” (Russell 1981: 51):

There is, however, another feature of Cicero’s *Brutus* which is easy to grasp, and clearly important. This is the amount of personal criticism of individual orators which it contains. It may well be that this is something peculiarly Roman. The whole man matters—his personality, his career, as well as his style.

This may be true of the work of Cicero, but not of the work of “Cicero”—and certainly not as read by Horace and Tacitus’s Messalla. “I seek not *who* the ideal orator *was*,” wrote Cicero, “but rather *what* it is” (see §3 above). Whether or not this was true when Cicero wrote it, it became so as Cicero became “Cicero” in reception.

The division of fields between life and art is further emphasized in Quintilian’s earlier account of the stylist most opposed to Cicero in his view, Seneca the Younger. The final remark of Quintilian’s discussion of Seneca in *The Orator’s Education* emphasizes the bifurcation of Seneca’s “genius” (*ingenium*) and judgment (*iudicium*) as they combined, yet again, in his “will” (*I.O.* 10.1.131): “For his nature,” writes Quintilian, “was worthy of wanting [*vellet~voluntas*] better. He did [*effecit*, i.e. brought to fulfillment] what he wanted [*voluit~voluntas*].” As James Ker has noted (2009: 75–77), Quintilian

34 Cf. Connolly 2007: 254–61. On “exclusion” and “bifurcation,” see Butler in Butler, Laclau, and Žižek 2000: 16f.

indicts Seneca's style with the very words (*quod voluit effecit*) that Seneca used to analyze those transactions that constitute social and political existence among the Roman elite in his work *On Favors* (*de Beneficiis*, 2.31.2):

Whenever someone obtains what he intended, he enjoys the profit of his work. What does the person who gives the favor intend? To benefit the recipient and take pleasure [*uoluptati*] in himself. If he did [*effecit*] what he wanted [*quod voluit*] and his soul came to me and affected me with reciprocal joy, he took what he sought.

Evidently, it is the "thought" (*voluntas*) that counts, but the "thought" in question is conveyed by the material as the material mediates an exchange between individuals with affective reciprocity. The exchange in question is, in this instance of "the gift," social cohesion itself. It is this that, in Tacitus's *Dialogue*, Messalla seems to identify as fulfilling itself even in the quarrels between the ancients: in other words, whatever they "really did" (*effecit*), quarrelists Caesar and Cicero "wanted" (*vellet, voluit, voluntas*) the same thing! In reception, this comes about when the product of the stylist's "will" is not only *effectum* (N.B. Quintilian/Seneca's *quod voluit effecit*, from *ex + factum*), but *perfectum* (*per + factum*): completely finished, brought to perfection, realized, like Horace's "ancients" *perfectos ueteresque* (*Epist.* 2.1.37) and Cicero's style of speaking *summum et perfectissimum* (see §2).

In spite of the apparent de-politicization of Cicero (as *Cicero*) that the tradition appears to effect, Aper and Messalla, taken together (which is to say, "in" Tacitus, their author) are actually re-politicizing *Cicero*. Their re-politicization is all the more profound because it proceeds through "Horace," the figure of the aesthetic, separated from politics (*Cicero*), even as their re-politicization also opens the possibility of the intervention of Ciceros and Horaces in politics from the ostensibly depoliticized field of the aesthetic (cf. Connolly 2007: 237–261). We are also dealing with politics because, with the introduction of the "will," in Seneca's analysis of the gift, at issue is the relation of the individual to his or her social and historical conditions understood as material reality. The discrepancy, difference, or even "quarrel" between our collective "will" and our individual "wills" in social and historical specificity, represented as the quarrel between aesthetics and politics is, on this analysis, the engine of history and politics. At least for the Romans, the separation between the two was introduced for political reasons by Cicero, colluding with history in making himself *Cicero*, but also laying the foundation for his eventual re-invocation with a variety of possible inflections as "Cicero." Cicero's persistence under erasure was effected by his identification with and evacuation of himself into, not a person

but a process—method, manner, style, Form, or mode: once more, in Latin, *modus*, whence “modern” (see n. 11). In so persisting, the *theorist* inscribes himself in Roman literature and politics all the more when he is not named, as he was not named for generations and has, in a certain sense, continued not to be named for generations now.

5 Conclusion: Aesthetics and Politics, Ancient and Modern

In the wake of the uneasy disembedding of culture from politics in Cicero, which was institutionalized as *Ciceronian* by Horace, Tacitus seems to be confronting us with a political conception of aesthetics. In the dialectical structure of the *Dialogue on Orators*, the historian recapitulates in a single conjuncture of space and time, through the allusive exchange of the traditionalist and the modernist, the entire history of reception of Cicero, from *Cicero* to “Cicero.” Teasing apart Tacitus’s representation of the historical process from its spatio-temporal simultaneity brings it back in line with the historical trajectory that it first condensed: the aesthetic practice of abstractly apprehending social, historical, and political reality, disembedded by Cicero and then re-embedded, as separable, by Tacitus and company. At the same time, through the Roman tendency of such cultural and political functions to congeal in specific figures modeled on actual historical Romans (*exempla*), the specific forms of the aesthetic also operate through a process of transcendence, universalization, and identification on the part of subjects positioned *differentially*, and thus in quarrel, not only in time and space, but also in quality: traditional = good/bad, modern = good/bad, Roman vs. non-Roman, Asian vs. Attic, etc.

The political implications of this process are easy to lose sight of in view of the aesthetic character of the quarrel. Nevertheless, to use the last author considered as an *exemplum*, it is here worth remembering that Tacitus himself, elite that he was, was not originally a *Roman* elite but, like most Roman authors (and even political figures), rather a provincial and only Roman to the extent that that signifier, “Roman,” could shift to encompass non-Roman others in time and place (Ando 2000: 22–48, cf. Laclau 1996: 20–35). As only a “Roman” Roman, Tacitus would not have been able to inscribe himself in the cultural imaginary, as it traverses aesthetic and political fields, if authors such as Cicero and Horace had not, with the help of Horace and Tacitus, made themselves *Cicero* and *Horace*. By thus “naming” their own alienation, they made a place for others in themselves and made a place for moderns in the ancients. Thus, Horace omits Cicero (= *Cicero*) and helps produce the “Cicero” whom Tacitus and Quintilian invoke and with whom they (or their speakers)

identify, finally by name. Once more as it were finally, as Hippolyte Rigault recognized (n. 5), Tacitus omits Horace and so, on my analysis, invokes *Horace*. As he does so, he contributes to the production of the “Horace” whom Hippolyte Rigault, Michèle Lowrie, Denis Feeney, and I all continue to invoke. With each instance of alienation, substitution, and identification (e.g., Cicero → *Cicero* → “Cicero”), each “Roman” becomes *Roman*.

That Cicero’s “final” reception in the form of Tacitus’s *Dialogue* should unify politics and aesthetics in a kind of necessary but impossible, even resisted, transcendence (always the same as, always different from itself), prefigures recent, renewed efforts to identify aesthetics as equally limiting *and* conditioning the political.³⁵ To the extent that those efforts, which have also attempted to reclaim various forms of universality, have been radically democratic in their origin and aim, keeping the possibility of identification open even as they refuse to limit the sites or styles of identification—to the extent that all that has been the case with modern political projects and is also the case with Tacitus’s *Dialogue* in its reception of Cicero as received by Horace, we must acknowledge the indispensability of Cicero, not to mention Cicero through Horace, for an emancipatory interpretation of Roman literature. Put a different way, recognizing the continued persistence, even under erasure, of Cicero and then Cicero (i.e. “Cicero”) through (e.g.) Horace, is indispensable for recognizing the emancipatory potential of Roman literature.³⁶ Maybe, on such a reading, Cicero did not die in vain. Certainly, “Cicero” did not.

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35 Cf. Butler and Laclau in Butler, Laclau and Žižek 2000, esp. 14f., 24f., 30–3, 55–9.

36 Laclau in Butler, Laclau and Žižek 2000: 86.

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PART 3

Two French Receptions



Cicero Reads Derrida Reading Cicero

A Politics and a Friendship to Come

Paul Allen Miller¹

The reciprocal possession and fusion toward which the tender tend, is nothing other than an (unnatural) principle of perversion at the heart of the natural law of attraction and repulsion. We could compare it to the death drive or to a demonic principle. It would come to haunt virtue. If it were really thus, friendship would both be the sign, the symptom, the representative of this possible perversion, and what guards us against it.

DERRIDA 1994: 287²

Therefore, firm, stable, and constant men are to be chosen, of which type there is a great shortage. And it is difficult to judge truly except through experience. However, it is necessary to have the experience in friendship itself. So friendship runs ahead of judgment and takes away the power of experiential testing.

CICERO, *Laelius*, *De Amicitia* 62



In 1994, Derrida published the *Politics of Friendship*, a major work that followed on the heels of 1993's *Specters of Marx* and *Khora*. The latter two, while generally considered among Derrida's most important statements on Marx and Plato, were also, as he acknowledges, long deferred continuations of dialogues begun in his seminar twenty years prior. As I have recently shown (*Diotima at the Barricades*: chapter 2), *Specters of Marx* and *Khora* while possessed of undoubtedly complex genealogies, in many ways represent a settling of accounts with Julia Kristeva, Philippe Sollers, and the editorial collective that surrounded the avant-garde journal, *Tel Quel*. In the early 1970s, in the wake of the failed May '68 student uprising in Paris, political turmoil swept the lecture

1 This paper is dedicated to the friends I think about each and every day.

2 All translations are my own, unless otherwise noted.

halls and seminar rooms of France. Many, searching for an authentically revolutionary alternative to the failed model of Soviet Marxism, turned to Mao's theory of cultural revolution. When Derrida refused to commit himself, there was a quiet but decisive break with *Tel Quel*.³ As a result, the once fast friends, Derrida, Sollers, and Kristeva, never spoke again, even once Sollers and Kristeva renounced politics upon their return from China (de Nooy 1998: 79–80, 90–91; Peeters 2010: 221–22, 263–292, 419–20). In 1993, Derrida revisited the themes of his 1970 seminar, as he acknowledges in a note to *Khôra* (1993b: 101–02n7), giving his final pronouncement on his debate with Kristeva on the status of Plato's use of the term *khôra* in the *Timaeus* and publishing for the first time a full-fledged reading of Marx in *Specters of Marx* (1993a). Old debates and the specter of lost friends were clearly on his mind.

The following year, in 1994, Derrida published the aptly titled *Politics of Friendship*, a book about the history of the concept of friendship in the west from Plato to Blanchot by way of Cicero, Montaigne, Nietzsche and Carl Schmitt.⁴ It is also a book about the inseparability of politics from a concept of both the friend and its mirror image, the enemy (Derrida 1994: 91). And it is a book that returns again and again to a possibly apocryphal saying of Aristotle's recorded by Diogenes Laertius (5.21), "Oh my friends, there is no friend,"⁵ an

3 See for example the politically charged interview with Guy Scarpetta and Jean-Louis Houdebine reprinted in *Positions* (1972b: 51–133).

4 Pangle 2003 covers many of the same authors referring to them as "a single tradition" (5). Her evaluation of the *Politics of Friendship* as simply contending that "we should befriend everyone" (192) fails seriously to come to grips with Derrida's text.

5 "ὁ φίλοι, οὐδεὶς φίλος." This is the reading of all the manuscripts. Diogenes is here citing a collection of Aristotle's sayings assembled by Phavorinos. This is also the reading of all the texts in the philosophical tradition that Derrida cites: "Montaigne, Florian, Kant, Nietzsche, Blanchot, Deguy" (1994: 219). And it is the preferred reading of the translations he cites: Genaille's 1965 edition in French, an 1806 edition in German cited without the author, and Ortiz y Sainz's 1985 Spanish translation (Derrida 1994: 219–220n1), although he is aware of others (1994: 236–37). Nonetheless, most modern philological editions follow Causabon's emendation to "ὁ πολλοὶ φίλοι, οὐδεὶς φίλος," meaning the man who has many friends has none. See Marcovich (1999), with his apparatus; Huebnerus (1981), with his commentary; Long (1964); and Hicks (1925). This emendation, as Derrida (1994: 237) notes, is based on the next sentence in Diogenes, which says "but it is also in the seventh book of Aristotle's ethics." Unfortunately, nothing like the sentiment of the famous interjection can be found in either the *Nicomachean* or the *Eudemian Ethics*. Nonetheless, the notion that real friends are rare and that one who has many friends has no real friends is common in both works. In the end, Derrida (1994: 241–44) argues that the differences between the two versions are less than they first appear, since both emphasize the rarity of true friendship in a context that simultaneously acknowledges the (plural) existence of people we call "friends." Derrida primarily refers to the first, what he calls the "canonical," version throughout the *Politics of Friendship*,

adage subsequently cited by Montaigne, Nietzsche, and Blanchot. The true friend, as the saying makes apparent, is the (all but) impossible exception (Derrida 1994: 19, citing Cicero, *Laelius de Amicitia* 22). That rare true friend is portrayed throughout much of the tradition as a veritable second self, as the other of myself who reflects my self to myself (cf. Pangle 2003: 66, 70). And yet my friend, as friend, remains other. And insofar as my friend remains other, he or she, as my second self, has the potential to call the integrity, the sufficiency, of my self into question. There is a potential violence in friendship: a violence that recalls the passion of love.

Thus, Derrida notes, Cicero observes both that *amicitia* receives its name from love (*amor*) and that each sets the soul aflame (*exardescit*) (*Laelius de Amicitia*, 26, 100, cited by Derrida 1994: 195).⁶ Yet, the flames of passion only too easily become those of hatred. The context for Derrida's observation is a discussion of Montaigne's retelling of Cicero's anecdote about Gaius Blossius and the revolutionary tribune Tiberius Gracchus. The question in the original dialogue is how far should love (*amor*) go in friendship (*amicitia*) (*Laelius de Amicitia*, 36), even to the point of treason? Blossius, in the aftermath of Gracchus's murder at the hands of a senatorial mob, is asked by Laelius, the main speaker of the dialogue, if his friendship with Gracchus would have extended all the way to burning down the Capitol, should the latter have demanded it. Blossius replies, "He never would have wanted that, but if he had, I would have obeyed." In this passage, the fire of love and the fire of treason momentarily become one. A single will unites these two friends, who nonetheless remain forever separate, torn apart by political murder. As Derrida comments, "The friendship between these two men who are like brothers, that too is the passion of love" (1994: 211). Laelius condemns Blossius's answer: true friendship, he contends, is to be founded on virtue.

Nulla est igitur excusatio peccati si amici causa peccaveris; nam cum conciliatrix amicitiae virtutis opinio fuerit, difficile est amicitiam manere si a virtute defeceris. (37)

Therefore there is no excuse for evil if you did it for the sake of a friend, for since an impression of virtue was what brought the friendship together, it is difficult for friendship to continue if you should be lacking in virtue.

both because this is the dominant version that has gone into the philosophical tradition and presumably because he appreciates the aporia at the heart of its "performative contradiction" (1994: 240).

6 I follow Derrida and cite Robert Combès's 1971 Budé edition.

Nonetheless, who could say Blossius was not, in fact, a true friend of Gracchus, Blossius who, as Laelius admits, stayed when others abandoned him (*a . . . amicis derelictum*)? Montaigne, by contrast, who recounts this same tale, praises Blossius's response, because the perfect friend both knows and ultimately controls the will of the other—who is after all a second self (1962: 188). He would never allow him to demand such a thing. And yet Blossius, as Laelius acknowledges, did in the end commit treason, fleeing to Asia and joining the rebellion of Aristonicus, after whose defeat he committed suicide. Derrida summarizes his reading of these passages in Montaigne and Cicero as follows:

Friendship is only able to exist among good men, repeats Cicero.⁷ Reason and virtue cannot be *private*. They are not able to enter into conflict with the public matter. These concepts of virtue or reason are from the beginning tailored to the space of the *res publica*.

DERRIDA 1994: 211 (emphasis his)

But, insofar as friendship represents a passionate commitment of the self to the other as its reflection, as the other whose love enflames (*exardescit*), then it also represents the potential for burning down the temples of the state (*in Capitolium ferre faces*): for treason, subversion, and death, for virtue to become perversion.

The friend, we read, possesses the power of a love that threatens the boundaries of both the self and the community, even as it affirms them in their identity. This duality is implicit in Cicero and Montaigne, but, as Derrida observes, becomes explicit in Nietzsche and Schmitt. Friendship, from this perspective, increasingly represents the power of the other in the self, of a second self, and so, in the very instant of maximum identification between self and other, the friend (*Freund*) can become the enemy (*Feind*). He can become the brother of absolute hostility, the other in whose death we live (Derrida 1994: 170–76, 188, 287). It is along this porous boundary between friend and foe, self and other, life and death that Derrida situates the complex set of meditations that make up the *Politics of Friendship*. It is here that he founds his search for what he terms another politics and another friendship: a politics and a friendship not opposed to what has come before but beyond the opposition of self and other on which the possibility of both friendship and enmity, community and conflict have been predicated heretofore (Derrida 1993a: 68, 102; 1994: 42, 126–29, 246). “Oh my friends, there are no friends.”

⁷ Citing Laelius *de amicitia, nisi in bonis amicitiam esse non posse* (18).

Derrida does not begin the *Politics of Friendship* with Aristotle or Plato, both of whom receive considerable attention, but with Cicero. His inquiry, while it is in a profound sense historical, tracing sets of oppositional structures that have shaped our ability to conceptualize both friendship and the political from antiquity to the present, it is not chronological. Derrida begins the *Politics of Friendship* with an epigraph from Cicero that simultaneously frames the argument of the book as a whole and calls into question one of our most fundamental oppositions, that between life and death: “quocirca et absentes adsunt [...] et, quod difficilius dictu est, mortui vivunt.” [“Wherefore even the absent are present [...] and, what is more difficult to say, the dead live.”] (*Laelius de Amicitia* 23; Derrida 1994: 9). Nor is this epigraph an isolated quotation, a mere rhetorical flourish. The opening chapter begins with a careful reading of Cicero’s text, with special emphasis on the concept of the friend as an *exemplar* of the self: a simultaneous original and copy. My friend is my likeness and I am his reflection, we are both the same and necessarily different. For Derrida, Ciceronian friendships confound the ontological categories that normally govern our thought and hence our world, and Cicero is more than aware of the paradoxes thus created (Derrida 1994: 19–20). To quote the Cicero passage in full:

Verum enim amicum qui intuetur, tamquam *exemplar* aliquod intuetur sui. Quocirca et absentes adsunt, et egentes abundant, et imbecilli valent, et quod difficilius dictu est, mortui vivunt: tantus eos honos, memoria, desiderium prosequitur amicorum. ex quo illorum beata mors videtur, horum vita laudabilis. (23, emphasis mine)

For he who perceives a true friend, it is as though he perceives a *model* of himself. Wherefore the absent are present, the poor are rich, the weak are strong, and what is more difficult to say, the dead live: so great is the respect, the memory, and the desire that follows after our friends. Hence for the ones death seems happy and for the others life is worthy of praise.

Derrida’s great merit in choosing this passage as his epigraph is to take Cicero at his word, not to fob off his claims as rhetorical exaggeration or derivative philosophizing, but actually to think the logic of the *exemplar* in relation to friendship, politics, and death the three great topics of Cicero’s text and his own. “Those who grimace before discourses on the undecidable believe they are in a strong position, as we know, but they ought to begin by taking after a certain Cicero” (Derrida 1994: 21).

If we are to take Cicero at least as seriously as Derrida does, we would do well to remember the dramatic occasion of the dialogue. Laelius’s great friend,

Scipio Africanus Aemilianus, has just died under mysterious circumstances while at the height of his personal and political powers (129 B.C.E.). Laelius's sons-in-law have come to visit and inquire after how he is handling his grief.

We would also do well to keep in mind that Cicero wrote the dialogue in 44 B.C.E., shortly after the assassination of Caesar. It was a time of political turmoil, when one's friends only too easily became one's enemies, when true friendship was especially precious and rare, and when death lurked on every side (Pangle 2003: 105).⁸ *De Amicitia* is then a dialogue in which a primary speaker (long dead) speaks about his rare friendship with a great political leader and general Scipio Africanus, who has recently died. Written in the context of the recent death of another great political leader and general (Cicero's sometimes friend), it also recounts the death of other controversial political leaders (Gracchus) and their friends (Blossius). Finally, *De Amicitia* is dramatically situated as the sequel to Cicero's *De Republica*, which takes place just before the death of Scipio. Ending with Scipio's vision of the afterlife, the famous *Somnium Scipionis*, it recounts his image of the ideal constitution of the Roman republic at a time of acknowledged political strife (Niegorski 2008). Thus politics, friendship, death, and remembrance are all deeply intertwined in *De Amicitia*, as friend and enemy, self and other, exemplar and exemplified establish complex and shifting positions in what has often seemed nothing more than a simple panegyric of friendship.

In *De Amicitia*, then, as Derrida underlines, the dead live (*mortui vivunt*). Scipio is an almost palpable presence. He lives on through Laelius, whose exemplar he is. But he is not alone. All the characters of the dialogue are long dead by 44, and yet we hear them still. Caesar is dead. Death itself lives, it threatens Cicero and the republic, but it also promises that they might live on, not quite immortal, like a god, but haunting our thoughts and our discourse, even our unconscious assumptions, as exemplars of themselves. Only their death makes this afterlife possible. Exemplarity depends on finitude. "A friendship, of the Ciceronian kind, would be the possibility of citing myself in an exemplary manner, by signing in advance my own funeral oration, the best, perhaps, but it is never certain that the friend will pronounce it standing on his

8 The fact is that for many years one of the commonest translations of *amicitia* was "political alliance." While more recent scholarship and Cicero's own work clearly shows that this was an oversimplification, the fact is that the Roman republican elite were highly politicized and friendships, while certainly not excluding genuine affection, were often as much or more the product of expediency as they were of the true and perfect friendship Laelius seeks to emphasize in the dialogue (22). See Brunt (1988) for a good overview of the problem and Konstan (1997: 122–48). The politics of friendship for the Roman elite was less a paradox than a truism.

own feet when I will no longer be" (Derrida 1994: 21). Such a friendship between immortals would be inconceivable. They do not live in our memory. Without death, friendship as we understand it, would not exist, nor would enmity.

Perhaps then we should take Derrida at his word too: there is a reason why Cicero leads off the *Politics of Friendship*. It too is a haunted text. Haunted by the friends who are no longer friends—"oh my friends, there are no friends!"—haunted by the friends who are no more: the text alludes to the death of Paul De Man and ends with Blanchot's powerful confession of his friendship for Foucault, a friendship that could only be declared after his death. Blanchot's silent friendship is, in some ways, Derrida's as well. He and Foucault had been close. Foucault had been his tutor at the Ecole Normale Supérieure. They had fallen out at the end of the sixties, not spoken for years, only to be reconciled shortly before Foucault's death (Peeters 2010: 492; cf. Miller 2007: chap. 4). "Without trying to hide it, you will have understood it, I would like to speak here about the men and women with whom a rare friendship has bound me: that is to say I also want to speak to *them*" (Derrida 1994: 335, emphasis, his).

The specters that haunt Derrida's text are not just those of past political and intellectual struggles, friends who are no longer friends, Sollers and Kristeva, and friends who are no more, De Man and Foucault, but also the promise of a friendship to come, one that exceeds politics, that exceeds the constraints of communal life. Such a friendship is by definition not present, yet not wholly absent, if it is still to come, if there is a place for it to come. It is exemplified by those moments of the past that while no longer fully present possess the promise of a future: Scipio and Laelius, Cicero and Atticus, Montaigne and La Boétie, Blanchot and Foucault. It is a friendship that in the very moment of constituting the affective bonds that both produce and are formed by the communal, have the potential to posit a politics to come, one which would truly be a politics of friendship as the search for justice, for virtue, and ultimately for "a certain democracy, which would no longer be an insult to the friendship we have tried to think" (1994: 340). This is the struggle for a justice, a politics, and a friendship to come that is never quite present, but not unreal. "Oh my friends, there are no friends."

This friendship to come, like that evoked so movingly by Laelius when speaking of Scipio, adheres to a spectral logic that Derrida had described the year before in *Specters of Marx* as a form of transcendence that exceeds the oppositional categories of presence and absence, being and nonbeing:

To be just: beyond the living present in general—and its simple negative inverse. Spectral moment, a moment that no longer pertains to time, if one understands by this noun the linkage of modalized presents (past present, actual present: "now," future present). [...] Furtive and

tempestuous, the apparition of the specter does not pertain to this time, it does not give the time, “*Enter the Ghost, exit the Ghost, re-enter the Ghost*” (*Hamlet*).

DERRIDA 1993A: 17 (emphasis his)

The search for justice—to be just—is the search for this friendship to come. Nonetheless, the demarcation of friend from foe, what Carl Schmitt—as cited by Derrida—describes as the origin of the political, always threatens to overturn the moment that determines friendship into its opposite, into a moment of struggle, hostility, and even death (1994: 95, 103, 176). Friendship comes to be, comes to be most fully in the moment of death, when it is gone, and yet the dead live on, as our exemplar, as our promise of justice to come (*à venir*). This logic of a future possibility, which inheres in the past, and which is never quite present, is what Derrida punningly refers to in *Specters of Marx* as an “hauntologie,” “neither living nor dead, neither present nor absent, but [...] a specter. It is not a matter of ontology, of a discourse on the being of being, on the essence of life or death” (Derrida 1993a: 89). But this logic is exactly what Cicero articulates in the passage Derrida uses as his opening epigraph the following year to describe the phenomenon of true friendship as a moment irreducible to the demands of the present, the facts of the past, or a future already determined in its being (Derrida 1994: 46–47, 54–55, 86–88).

There is then nothing accidental in Derrida’s choice of Cicero to begin the *Politics of Friendship*. In many ways, it is the perfect text for the complex meditation on friendship, politics, enmity, and death, which follows. Nonetheless, the text with which Derrida opens his discussion, and to which he refers throughout the course of the book, has been all but neglected in the literature on Derrida and on Cicero’s reception.⁹ This gives both texts short shrift. Each of them is more complex and more personal than has been generally realized.

9 A search of *L’année philologique* and of the Modern Language Association Bibliography reveals no hits for Derrida and Cicero. Derrida’s reception of antiquity has been a topic of increasing interest in recent years, see inter alia Zuckert 1996, Miller 1999, Leonard 2000, Leonard 2005, Miller 2007, and Leonard’s edited volume, *Derrida and Antiquity* 2010. Most of these efforts focus on Derrida’s reception of Greek philosophy in texts like “La pharmacie de Platon” (1972a), *La carte postale* (1980), “Nous autres Grecs” (1990), and *Khôra* (1993b). His engagement with the Latin tradition has been largely ignored. Leonard’s 2010 volume does contain one essay on his use of the Latin Christian tradition, but only passing mentions of Cicero. Konstan (1997) acknowledges Derrida’s text (10) and has a brief discussion of Cicero (130–37) but the two are not connected. Von Heyking and Avramenko’s (2008) collection features a discussion of the relationship between *De Republica* and *De Amicitia* (Nicgorski 2008), and briefer mentions of *The Politics of Friendship* (Salkever 2008: 72; Avramenko 2008: 304–06;

De Amicitia, like *The Politics of Friendship*, is from the beginning predicated on the possibility of at least a double reading (cf. Laurant 1928: 8n2). In his preface, Cicero tell us that he is responding to the request of his dearest friend, Atticus to write a work on friendship, with obvious reference to their own (4). *De Amicitia* is his response to that request. Notwithstanding the elaborate story of how Cicero came to know the contents of Laelius's discourse on friendship, which will be discussed below, it strains credibility to believe that even if such a conversation did in fact take place that Scaevola, Laelius's son-in-law, would have transmitted it to Cicero intact, or that Cicero would have remembered that transmission with anything approaching detailed accuracy forty-four years later. We are clearly dealing with a literary construction and one that in the first instance responds to the request of Cicero's friend for such a text (Combès 1971: ix–xxvii). Consequently, everything said by Laelius of his relationship with Scipio and the political conflicts that characterized the end of second century may also be read as a commentary on Cicero's friendship with Atticus and on the politics of his day.

As Cicero explains in a passage worthy of Derrida himself:

Tu uelim a me animum parumper auertas, Laelium loqui ipsum putes. C. Fannius et Q. Mucius ad socerum ueniunt post mortem Africani; ab his sermo oritur, respondet Laelius, cuius tota disputatio est de amicitia, quam legens te ipse cognosces. (5)

I would wish you to turn your attention a little away from me; you should think Laelius himself is speaking. C. Fannius and Q. Mucius come to their father-in-law after the death of Africanus; the conversation begins with them, Laelius responds. His whole discourse is about friendship. When reading it, you will know yourself.

Through the deliberate act of turning your attention, or more literally your soul (*animus*) from me, you should perform the act of thinking/imagining that Laelius (long dead) is speaking, and in performing this act while reading you will know/recognize yourself. Or as Derrida himself said, "Without trying to hide it, you will have understood it, I would like to speak here about the men

Gebhardt 2008: 341–42), but again the connection between the two works is never drawn. The sole work to discuss Derrida's reading of Cicero is Lau (2007: 419). It offers a simplistic reading of Cicero as a partisan of a philosophy of friendship that privileges "the self and the identical over against the Other and difference." But, as Derrida's first quotation shows, Cicero is cited precisely because he calls these oppositions into question.

and women with whom a rare friendship has bound me: that is to say I also want to speak to *them*.” But in fact Cicero says more here than just you will know I am speaking to and about you when you read Laelius’s discourse, as Derrida invites us to imagine he is speaking to and about his friends when we read his discussion of Blanchot on the death of Foucault. Cicero also says that in performing the imaginative act of believing Laelius rather than Cicero is speaking, Atticus will recognize himself, meaning at least three things, which are not mutually exclusive. 1.) Atticus will recognize that Laelius is talking about Atticus (rather than Scipio), in which case he will see that Laelius actually is Cicero, in spite of the imaginative act of thinking otherwise. 2.) Atticus will recognize Laelius as himself, in which case he will see that Laelius is actually talking about Cicero. These two options, however, are really the same. Insofar as the friend is the exemplar of the friend, an embodiment of the self in the other, and hence the one lives on in the other even after death, then each can recognize themselves in the other, and in so far as Laelius is the avatar of the one he is also the avatar of the other. Thus Derrida defines “the exemplar, that Ciceronian model of friendship with which we decided to begin” as both the “original and the reproducible type, the face and its mirror, the one and the other” (1994: 189).

The third option is actually the most literal, but also the most complex. Atticus will, in reading the dialogue, quite literally come to know himself. It is only through the exteriorization of the self, through the exemplary value of the friend, but also through the imaginative act of turning one’s spirit (*avertere animum*) that we come to see ourselves in the mirror of the other. Cicero’s text in its ability to bring back the dead, to allow the specter of Laelius to evoke the specter of Scipio, and then to invite each of us to transpose ourselves into those spaces, even as we recognize our difference from those spaces, opens up a new dimension which is not of the order of being (ontology) but represents its transcendence and its promise (hauntology). And it is this dimension of future possibility—rooted in the attachments of the past—that is the promise of friendship both on the level of the individual and the community. The friend as a second self who crosses the categories of being opens up new possibilities of existence, creating new forms of self-recognition and hence self-transformation.

Self-knowledge and self-transformation, moreover, have been the fundamental mission of philosophy—i.e., the pursuit of wisdom (*sophia*) as its friend (*philos*)—since the time of Socrates. Thus, much of the *Apology* centers on Socrates’ attempt to understand the Delphic oracle’s response to Chaerophon that Socrates is the wisest of men. The latter is initially puzzled by the oracle since he knows that he “knows nothing either great or small” (21b4–5), and

so Socrates sets out to refute it by going to those who do seem to know something and proving that they are wiser than he. In each case, however, those that seem to have divine wisdom are shown not to have it but to be deluded, since they think they know what they do not. After a number of these encounters, Socrates concludes that he truly *is* the wisest of men, because at least he knows that he knows nothing. Moreover, in coming to that knowledge, he in fact fulfills the Delphic oracle's primary injunction: *gnōthi seauton*, "know yourself."¹⁰ The beginning of wisdom, the beginning of its pursuit, and hence its love (*philia*), Socrates teaches us, comes with the knowledge of one's own lack, a knowledge which comes not from solitary introspection but from the questioning of others and from the self-reflection that results from the encounter with the other (Hadot 1995: 56–57, 103; Blondell 2002: 100). This is the lesson of both the *Apology* and the *Symposium*. The friend is a special case of this moment of self-reflection through the other, as evoked in the famous passage from the *Alcibiades* where knowledge of one's own soul is said to be acquired through looking into the soul of another, in the same way that one sees one's own reflection by staring into the eyes of the other (132c–133b).¹¹ But this is a lesson perhaps most strongly made by Cicero's logic of the friend as an *exemplar* of the self.

It is no accident, then, that Socrates' proclamation as the wisest of men is cited twice right at the beginning of *De Amicitia*, immediately after the passage in which Atticus is told that if he imagines that he hears Laelius rather than Cicero speaking in the dialogue, he will not only recognize himself, and hence their friendship, but he will also come to know himself. The first citation comes at the very opening of the dialogue. Fannius directly compares Laelius, who was known as *sapiens* ("the wise, the philosopher"), to Socrates, saying that Socrates alone of the Greeks was truly wise and that he "had been judged the wisest by the oracle of Apollo" (7). Similarly, he claims that Laelius alone of the Romans is known as *sapiens* in this comprehensive sense.

te... non solum natura et moribus, verum etiam studio et doctina esse sapientem, nec sicut vulgus, sed ut eruditi solent appellare sapientem, qualem in reliqua Graecia neminem... Athenis unum accepimus, et

¹⁰ Cf. *Phaedrus* 230A.

¹¹ Cf. *Phaedrus* 255b7–d6. "To submit to a mutual research, to search to know oneself through the detour and the language of the other, such is the operation that Socrates, recalling what the translator names the 'lesson of Delphi' (*tou Delphikou grammatos*), presents to *Alcibiades* as the antidote (*alexipharmakon*), the counter-potion (*Alcibiades* 132b)" (Derrida 1972a: 138).

eum quidem etiam Apollinis oraculo sapientissimum iudicatum: hanc esse in te sapientiam existimant, ut omnia tua in te posita esse ducas, humanosque casus virtute inferiores putes. (6–7)

They judge you wise not only in your nature and habits but also in your study and learning, not just as the crowd is accustomed to call someone wise, but as the learned do. We find no one like this in the rest of Greece. . . . We recognize one in Athens, and this one indeed was judged the wisest by the oracle of Apollo. They believe that this Socratic wisdom is in you, with the result that you consider all your possessions to be lodged inside and you judge all human affairs of less value than virtue.

Immediately afterward, Laelius repeats this same formula for naming Socrates, *istum quidem ipsum quem Apollo, ut ais, sapientissimum iudicavit* [that very one indeed whom, as you say, Apollo judged the wisest man] (10). Laelius, however, modestly refuses the title of *sapiens* in deference to the elder Cato, contending that Fannius should not place Socrates himself before Cato, since men praise the former's words but the latter's deeds.

This periphrastic formula for naming Socrates is used a third time but a few pages later when Laelius is discussing his views of the possibility of an afterlife, with reference to the death of Scipio. Laelius notes that he does not agree with the "recent Epicurean contention that the soul is destroyed with the body." Laelius trusts rather in the implicit wisdom of ancient Roman ancestor worship, in the practices of the Pythagoreans, and in the contention "eius qui Apollonis oraculo sapientissimus est iudicatus" ["of him who was judged the wisest by the oracle of Apollo"] that the soul is immortal (13). *De Amicitia* thus begins clearly under the sign of Socratic philosophy, and specifically under that canonized by the judgment of Apollo, naming Socrates as wisest of men because he knows what he does not know. He is possessed of the self-knowledge that comes from the ability to know the self through the encounter with the other, to become the friend of wisdom through the encounter with an exemplar of the self, and through that encounter to live on after death, as Scipio does himself.

Being the friend of wisdom (*philo-sophos*), then, in the first instance for Socrates involves self-knowledge. That self-knowledge takes place most directly through the encounter with the other, whether through dialectical questioning as exemplified in the *Apology*, through the beautiful boy or *erōmenos* in the *Phaedrus* and *Symposium*, or through the eyes of the mature friend and companion in the *Alcibiades*. In *De Amicitia*, this reflective or exemplary function is taken over most crucially by the friend in Laelius's speech and the double

reading of it by Atticus, who sees himself and Cicero reflected in the dialogue and its characters. Those characters, in turn, exercise a reflective and exemplary function for the reader that like the friend bears a transverse relation to the most basic ontological categories of presence versus absence, living versus dead, that structure our existence. That is to say that, rather than falling squarely within those categories, the logic of the *exemplar* cuts across them, denying their mutual exclusivity and opening new possibilities of thought and existence.¹²

The practice of friendship is thus a profoundly philosophical act, but philosophy too is always haunted by the friend, by the absent presence of our founding affections. Indeed, as Derrida notes, friendship and philosophy have long been associated in the western tradition, from Plato's *Lysis* to Schmitt on war, politics, and the enemy:

Friendship as philosophy, philosophy as friendship, philosophical friendship, friendship-philosophy will have always been in the West a concept indissociable in itself: no friendship without *philosophia*, no philosophy without *philia*. Friendship-philosophy: from the beginning we are inquiring about the politics *around* this hyphen.

DERRIDA 1994: 168 (emphasis his)

One of Derrida's main interests, then, is in the politics that inhabit the joining of friendship with philosophy, whether in the case of his friendships with Kristeva, Sollers, De Man, and Foucault or with those of Blossius and Gracchus, Sulpicius and Pompeius, Scipio and Laelius, or Cicero and Atticus. And *De Amicitia* is precisely the text with which to open any such inquiry both in terms of its identification of friendship as a particular practice of philosophy and in terms of the politics that characterize the time of its writing, its dramatic context, and its direct thematic content.

Cicero's view of friendship is of particular interest to Derrida, as we have seen, precisely because of the way it cuts across traditional ontological categories, pointing to a position beyond the normative binary oppositions that structure them. Such a moment is of particular importance to Derrida's political thought because it points to the possibility of a radically new future. This is the argumentative level on which *The Politics of Friendship* represents a direct continuation of *Specters of Marx*. The spectral is a moment from the past that possesses a contradictory relation to the present and hence an openness to the future. Like Scipio in *De Amicitia* and the specter of communism at the

¹² On the "syncategoreme" in Derrida, see Courtine (2008).

beginning of the *Manifesto*, it is both present and absent. The spectral opens up the possibility for the emergence of that which is truly new, of what Derrida labels the “peut-être”:¹³ the access to a dimension beyond simple facticity and its negation that can never be reduced to a pregiven teleology (1994: 54–55, 86).

At the joining point of these two contradictory impulses, which are nonetheless always-associated one with the other, philosophy and friendship, Derrida sees the possibility of such an opening. On the one hand, philosophy and virtue are always understood as embodying universal and hence public, as opposed to private, idiosyncratic values. And insofar as these values *are* public and thus serve to regulate exchanges and power relations between individuals (friends, colleagues, opponents) and/or groups of individuals (citizens, coworkers, enemies), they are inherently political (Derrida 1994: 211). On the other, the great friendships, which are cited again and again throughout history—Orestes and Pylades, Scipio and Laelius, Cicero and Atticus, Montaigne and La Boétie—are always dual and hence profoundly private. They are repeated exemplary pairs. “Citations of citations, therefore, on the subject of the possibility of citing the great friendships, the true ones. Even if they are more than two, the model (*exemplar*) will most often be furnished by a dual, by certain great couples of friends” (Derrida 1994: 96). Friendships are thus for both Cicero and Derrida unique private experiences grounded in an aspiration to the universal, and hence they are at once moments of great political peril (Blossius and Gracchus) and promise (Scipio and Laelius).

Democracy itself, Derrida argues, is situated at the crux of these same competing values of singularity and universalism.

The question of democracy is opened in this fashion, the question of the citizen or the subject as a countable singularity. And that of a “universal fraternity.” No democracy without the respect of singularity or of irreducible alterity, but no democracy without a “community of friends” (*koina ta philōn*), without the calculation of majorities, without identifiable, stabilizable, representable subjects who are equal among themselves. These two laws are irreducible one to the other. Tragically irreconcilable and forever wounding. (1994: 40)

This same crux also characterizes the search through philosophy for self-knowledge. For knowledge is, in the end, the search for the exemplary, reproducible self of virtue, the self reflected in the other: the friend. The care of the

13 The French for “perhaps,” but more literally “is able to be.”

self, is the care of the soul, of that within which does not fully die, of the specter, and hence of that which is at once most authentically our own and that which transcends our singularity. There is then a spectral hauntology, which lies at the base of friendship, philosophy, and democracy: the promise of a future that is at once radically particular (rooted in the affections of the past) and open to all and hence universalizable—a politics of friendship. “Oh my friends, there are no friends.” And this possibility of a future is what Cicero’s dialogue and its initial framing promise as well, even as it mourns the lost promises of the past, even as it is aware that every demarcation of friend from foe, of self from other, of citizen from alien is a violent wounding gesture, whose promise for tomorrow’s survival is dependent on death today.

It is unsurprising, then, that Cicero’s response to Atticus’s request for him to praise (their) friendship is framed in terms of an ironic anecdote, one which is not about the ability of friendship to overcome all obstacles or transcend political differences, but about death and alienation. It tells how the friendship of Publius Sulpicius with the consul Quintus Pompeius Rufus suffered a fatal breach when the latter became tribune of the people during the Social Wars (91–87 B.C.E.). Publius Sulpicius, Atticus’s cousin by marriage, supported citizens’ rights for the Italian allies and had allied himself with Gaius Marius and the cause of the people (*populares*). His former fast friend, Q. Pompeius Rufus, consul in 88 B.C.E., was a supporter of the aristocratic senatorial faction and allied himself with Sulla, his colleague in the consulship. With the aid of Marius, Sulpicius was able to pass a series of radical reform laws, but after Sulla marched on Rome, Sulpicius was captured and executed. Nonetheless, Pompeius was not saved. In the aftermath of Sulla’s march on Rome and the slaughter of his political enemies, the consul, Pompeius Rufus, was killed by the soldiers of his cousin, Gnaeus Pompeius Strabo, when he tried to supersede the latter in their command. The whole of this story of friendship, politics, and death is invoked, in what seems an almost passing manner at the beginning of the dialogue to describe how Cicero came to know of the story of Laelius’s discourse on his friendship with the recently deceased Scipio. But it also serves as a gloss on its subject matter. If Scipio and Laelius are the positive analogues to Cicero and Atticus, Sulpicius and Pompeius are their negative reflections in a time of civil war:

Memnisti enim profecto, Attice, et eo magis, quod P. Sulpicio utebare multum, cum is, tribunus plebis, capitali odio a Q. Pompeio, qui tum erat consul, dissideret, quocum coniunctissime et amantissime uixerat, quanta esset hominum uel admiratio uel querela. Itaque tum Scaevola,

cum in eam ipsam mentionem incidisset, exposuit nobis sermonem Laeli de amicitia, habitum ab illo secum et cum altero genero, C. Fannio, Marci filio, paucis diebus post mortem Africani (2–3)

For you, Atticus, truly remember all the more, because you were often in Publius Sulpicius's company, how great was either the wonder or the complaint, when he as tribune of the people opposed with a deadly hatred Quintus Pompeius, who was then consul and with whom he had lived in the greatest possible familiarity and with the greatest possible love. And thus, Scaevola, when he had happened to mention this fact, revealed to us the discourse Laelius had held concerning friendship, when both he was present and Laelius's other son-in-law Gaius Fannius, the son of Marcus, a few days after the death of Africanus.

In the guise of motivating his knowledge of a dialogue that occurred before he was born (129 B.C.E.), Cicero plunges us into a world of deadly politics, individual personalities, complex relations of friendship, enmity, family and other forms of filiation that were a mirror of his own troubled time.¹⁴ The choice of this particular anecdote, moreover, is especially appropriate since it was the death of Sulpicius and the danger it exposed, that led Atticus to withdraw from politics and move to Athens for twenty years (85–65 B.C.E.), whence came the cognomen by which he is popularly known.

De Amicitia begins, then, not with friendship per se but with death. Laelius is known as “the wise” (*sapiens*). He is said by Fannius to have both the practical wisdom of the Romans and the learned wisdom of the Greeks, and hence to be, as we have seen, a Roman Socrates. Given this reputation, people are asking Fannius and Scaevola, how Laelius is bearing up under the death of Scipio. Death and friendship are joined from the beginning of the dialogue. It seems Laelius has been absent from the most recent meeting of the College of the Augurs, Rome's official body of diviners, and the question asked is whether he was too stricken with grief to attend. Laelius assents to Scaevola's suggestion that his absence was because he was ill not because he was grief stricken. But he then disclaims the wisdom Fannius attributes to him, saying that he clearly is speaking as a friend (*amice*), but if wisdom should be attributed to anyone it should be to Cato, who bore the death of his grown son with such notable restraint (9–10). Laelius, however, continues by saying that if he were to deny being moved by the death of Scipio he would be lying. Indeed, he has been moved as he judges “no one ever will be.” The wise man, the “philoso-

14 See Combières (1971: vii–xi) and Pangle (2003: 107).

pher" then, following a Stoic truism should be unmoved by events, and by this measure Laelius says he is not wise, but rather Cato is, and yet the wisdom of Cato is neither that of Laelius nor that exhibited by Cicero himself upon the death of his daughter a year and half earlier (Pangle 2003: 114; Falconer 1923: 116n.1). Laelius is grieved as no one ever has been and no one ever will be. His wisdom, then, if such it be called, is not to be unmoved by his friend's death, but to recognize that nothing bad has happened to Scipio. Indeed, if anything bad has happened to anyone it has happened to Laelius. But, he reminds us, to be grieved by one's own pains is the province of the lover not the friend (11).¹⁵

And yet the distinctions made here are troubled as soon as they are made. Laelius is in fact *sapiens*. Everyone calls him so, whether he grieves for his loss or not. The term comes to function as his cognomen (6). He is a philosopher, in the manner of Socrates, as Fannius tells us (7), and therefore, because of his wisdom, people seek to know how he bears the death of his friend. He is an exemplar of wisdom whose behavior they seek to replicate. Yet he has been absent from his official duties. Has the death of his friend caused this seeming lapse in virtue? Laelius at once assures us that "no" he has merely been ill, but that he is not wise, Cato was wise, wiser than Socrates himself. Why? Because of the manner in which he bore the death of his son. We are told no details nor do other ancient sources provide us much more (cf., *De Senectute* 84). But the implication is clear that Cato would most certainly have not missed any of his official duties simply because of the death of a friend. Yet even though that is what certain philosophers (*sapientes*) qualify as wise, Laelius who is not wise, though others call him such (*sapiens*), will not deny that he has been moved. And indeed, as Scaevola makes clear, not to be moved by the death of such a friend would have been a failure of Laelius's humanity (*humanitatis*), if not his wisdom (8).

Are we therefore to assume that since Cato is wise and Cato is like the Stoics in his lack of public grief, that the Stoics therefore are the operative model of wisdom (*sapientia*) for Laelius, rather than Socrates, whose status as the wisest of men is evoked no less than three times at the beginning of the dialogue? Such an assumption would be hasty and an oversimplification. Indeed, Laelius later rejects the Stoic model as "hard" and more befitting a "stump" or "stone" than a "human being" (48). Such men may be termed *sapientes*, but ultimately they may not be so wise (Pangle 2003: 114–14; Altman 2009). Indeed, the term *sapiens* seems increasingly ironic as the dialogue progresses. Thus Laelius says

15 Combières (1971: 8n1) observes the same theme is found in the *Tusculan Disputations* 1.111, which as Altman (2009) has shown serves as a *consolatio* for himself on his daughter's death, and in the *Brutus* 4.

in response to the Stoic contention that friendship is to be avoided as producing emotional entanglements:

Quam ob rem, si cadit in sapientem animi dolor, qui profecto cadit, nisi ex eius animo extirpatam humanitatem abritramur, quae causa est, cur amicitiam funditus tollamus e vita, ne aliquas propter eam suscipiamus molestias. (48)

If therefore psychic pain befalls the wise man, which it certainly does, unless we judge that all humanity has been extirpated from his spirit, what cause is there for why we should remove friendship completely from our life, lest we suffer certain troubles because of it.

In this light, the statement that Cato is the wisest of men, because of the Stoic demeanor he exhibited at his son's death, is made to appear increasingly problematic. Such wisdom, if wisdom it be, is inhuman, the wisdom of a "stump" or "stone." Cato's "wisdom" ultimately leads us less to take him as our *exemplar* than to question who precisely is wise. By the same token, if we learn in *De Senectute* (84) that Cato's unflappable demeanor was founded more on his faith in the immortality of his son's soul than on what the *sapientes* consider wise, then we must ask whether there is not another wisdom, one that grounds our humanity in the experience of both friendship and loss, love and pain.

After disclaiming his own wisdom in favor of that of Cato and the *sapientes*, Laelius continues by saying that even though he has been "moved" as none will ever be moved, he takes comfort in the knowledge that nothing bad has happened to Scipio. For Scipio died at the height of his powers and reputation. A few more years of life would have added nothing. He either has ascended to the gods, as envisioned in the *Somnium Scipionis* at the end of *De republica* or, if death be the end, he experiences no harm (11–14). The conclusion is much the same as that found at the end of the *Apology* when Socrates contemplates his eminent death, and Laelius's reflection comes directly following the third mention of Socrates being judged wisest by the Delphic oracle.

Cato therefore may appear to be the wisest in accord with the teachings of the Stoics, but Laelius displays a deeper Socratic wisdom that valorizes both friendship and loss. Indeed, the distinction between the wise man and his opposite comes to be troubled in the course of the dialogue, not because either wisdom or philosophy are rejected per se, they are not. But it is troubled in the name of a friendship that is at once richer than any arid banishing of the emotions and more deeply implicated in the fabric of everyday life than any Epicurean retreat.

Sed tamen recordatione nostrae amicitiae sic fruor, ut beate vixisse videar, quia cum Scipione vixerim, quocum mihi coniuncta cura de publica re et de privata fuit; quocum et domus fuit et militia communis et, id in quo est omnis vis amicitiae, voluntatum studiorum sententiarum summa consensus. Itaque non tam ista me sapientiae, quam modo Fannius commemoravit, fama delectat, falsa praesertim, quam quod amicitiae nostrae memoriam spero sempiternam fore. (15)

But nonetheless I so enjoy the recollection of our friendship that I seem to have lived happily because I lived with Scipio, who was joined with me in the care of both public and private weal, and with whom I shared everything both at home and on campaign including that in which all the force of friendship is, complete agreement of wills, pursuits, and thoughts. And thus that reputation for wisdom, which Fannius just recalled and is no doubt false, does not delight me so much as the fact that I hope the memory of our friendship will be eternal.

This friendship, however, happy though it may have been, included not only the pleasure of recollection, accompanied as it must be by grief and loss, but also the potential for conflict, enmity, even violence, for politics in short. Scipio and Laelius are shadowed throughout not only by Cicero and Atticus but also by Blossius and Gracchus as well as Sulpicius and Pompeius. In taking the risk of the Socratic encounter with the other, as opposed to Stoic detachment, Laelius exposes himself to the possibility of a friendship turned to enmity, of virtue turned to vice. This ever-present possibility is why great friendships are so rare. True friendships, we are told, are not mere relations of convenience or utility but they are rooted in nature and therefore eternal (32). Yet in the very sentence next we read that Scipio said “nothing is more difficult than for friendship to endure to the end of life, because men’s habits (*mores*) often change” (33).

Friendship rather is a risk that one enters in blind, as if in love. “Friendship runs ahead of judgment and takes away the power of experiential testing” (62). Laelius wants to differentiate his grief for Scipio from that of the lover who cares only for his own pain. But at the dialogue’s end the flames (*exardescit*) of love (*amor*) and those of friendship (*amicitia*) are said to be the same, as each is named for the act of loving (*amando*) (100). This passage is clearly meant to recall two earlier moments in the dialogue. As Combès (1971) notes in his annotation of this passage, the same etymology of friendship being derived from love is cited by Laelius at 26, where friendship is said to arise more from the application of the soul in love than from the calculation of benefits. Likewise

the same verb, *exardescit*, appeared at 29, when we are told the movement of the soul in love causes “a certain wondrous magnitude of good will” to be kindled. Derrida, in turn, had clearly read his edition of Combès with some care since he chose to introduce the chapter in which he discusses Montaigne’s and Cicero’s varying judgments of Blossius’s willingness to burn down the Capitol if Gracchus asked by quoting these very passage from 26 and 100.

Thus Laelius, as we have seen, when he seems to draw a clear line between wisdom and its opposite, ultimately undermines that opposition, not so as to destroy the distinction, but so as to invite us to think about it in a more complex and nuanced way. By the same token, when at the beginning of his speech he seeks to draw a clear distinction between the friend and the lover, here too he undermines this strict dichotomy over the course the dialogue, forcing us to think more carefully about the passions ignited by the strength of our affections. Indeed, he signals this in the very terms he uses to describe his loss, “Moveor enim, tali amico orbatus, qualis, ut abitor, nemo umquam erit, ut confirmare possum, nemo certe fuit” [“For I am moved, having lost such a friend, as I judge, no one ever will be and, as I am able to confirm, certainly no one was”] (10). This passage calls to mind a formula that Catullus used for his beloved Lesbia on several different occasions. In poem 8, she was “amata nobis quantum amabitur nulla” [“loved by us as no one will be loved”] (5). This line is echoed almost word for word in 37.12 and it is used again in expanded form at 87.1–2. There the focus switches from the future to the past, “Nulla potest mulier tantum se dicere amatam/vere quantum a me Lesbia amata mea est” [“No woman is able to say she is loved so much as my Lesbia is loved by me.”]. In each case, in Catullus as well as Cicero, the essential point is that the emotional commitment of the speaker, who has suffered a recent loss, is so great that it will never be equaled nor has it been equaled in the past. If Cicero’s Laelius uses an analogous formula immediately before his declaration that he consoles himself with the knowledge that Scipio suffers no ill and that only the lover, not the friend, is pained by his own discomfiture, then the separation of love from friendship posited here can only be ironic for anyone who perceives the echo.

Still there is one final turn of screw. In Catullus’s case, his loss is the loss of betrayal. Love and hate in Catullus are two sides of the same coin (85). And though *amicitia* may be proposed as the ideal towards which true love aspires (109.6), nonetheless the *benevolentia* that springs into flame (*exardescit*) in Ciceronian friendship in Catullan *amor* is directly contrasted with the desire by which one burns more intensely (72.5). The friendship that moves Laelius, as none has even been moved, is the same passion that ignites Blossius’s devotion to Gracchus and that only too easily become Sulpicius’s hatred for Pompeius.

Love is always on the cusp of turning into hate. Friendship is both the other of love in its irrational self-centered passion and its mirror image. As Derrida writes “The enemy, the enemy of morality in any case, is love. Not because it is the enemy, but because, in the excess of attraction in unleashes, it gives way to rupture, to enmity, to war. It carries hatred in it” (1994: 287). The ontological categories that define our existence and that a certain Stoic rationality seeks to keep apart are forever crossed by friendship as a moment of universal singularity, in which the dead live, the absent are present, and in which too often the object of love, a friend, becomes our enemy.

In 1994, the year after publishing *Specters of Marx* and *Khôra*, Derrida brought out *The Politics of Friendship*. In a text, in which he openly acknowledges he is talking to and about his friends, some of whom have died, some of whom are no longer friends, some of whom haunt the present, he turns in the first instance to Cicero. To many this may seem an odd choice, and indeed though literally hundreds of items are published on each of these authors every year, this fact has gone all but unmentioned. It seems almost an accident. What possible relation could there be between this apotheosis of traditional western reason and a radical antiphilosopher of postmodernity?

Nonetheless, when the sloganeering is through, and the excuses for not reading or considering these texts, are pushed aside, we find a profound resonance between them. Cicero’s text is far more nuanced, far more ironic, and, in places, far more undecideable than either its apologists or its denigrators have often been willing to accept (see chapter 10, *ad fin.*). Derrida’s text not only offers a far more informed and far more careful reading of Cicero than we might have expected, it is also a far more personal, far more moving meditation on love, friendship, politics, enmity, and death, than perhaps even his most ardent fans have been willing to admit. One cannot leave it and its reading of Cicero without being haunted by the promises of the past and the hope for a friendship, a politics, and a justice to come.

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Ancient Texts, Contemporary Stakes

J. Carcopino as Reader of Cicero's Letters

Carlos Lévy

Let us transport ourselves in thought back to the sinister winter of 1942–43. At the École Normale Supérieure on rue d'Ulm, one of the greatest French classicists of the age, perhaps the greatest,¹ gives a course in which he develops a peculiar thesis, one already presented in February 1940 at the American Academy of Rome, in which he accuses a personage of the distant past, Cicero, of an “irreparable dishonor.”² This course was published in two volumes in 1947, under the title “The Secrets of Cicero's Letters” (*Les Secrets de la correspondance de Cicéron*). At a moment when political passions ran to extremes, Carcopino was unique in choosing to unleash his fullest indignation upon a man who had lived two thousand years before.

As it happens, Carcopino was not merely a historian of Rome: Recteur of the Académie de Paris and Director of the ENS in 1940, he was also named Secretary of State for Education and Youth on February 23, 1941, replacing Jacques Chevalier, whom the occupying authorities had deemed too clerical and Anglophile. Carcopino occupied this office until April 1942, at which time he was replaced by Abel Bonnard. The fact that “The Secrets of Cicero's Letters” were conceived at the very heart of the Occupation can certainly not be ignored, and yet to date the link between these two events does not seem to have been adequately explored. By way of example, in the above-cited work by Pierre Grimal, Claude Carcopino and Paul Ourliac, the introduction contains the following lines, which appear immediately after their evocation of Carcopino's ministerial career:

It is by the light of this experience that one must read ‘The Secrets of Cicero's Letters,’ whose seeds may already be found in Carcopino's previous works (notably his ‘Caesar’), but which may have never taken shape if not for his ministerial adventures. Attentive readers will not fail to be

1 Cf. P. Grimal, Cl. Carcopino and P. Ourliac, *J. Carcopino: Un Historien au service de l'Humanisme* (1981), Paris, Les Belles Lettres, at iv.: “... becoming by far, and by virtue of his technical prowess, the first among French classicists.”

2 J. Carcopino, *Les Secrets de la correspondance de Cicéron* (1947), Paris, L'artisan du livre, at 65.

struck by the similarities between his portrayals of Cicero and his friends, on the one hand, and those Saint Simon-style portraits of Vichy leaders in *Souvenirs de sept ans*, on the other.³

This passage appears to be of great interest. In effect, it draws a direct relationship of cause and effect between Carcopino's ascent into high office and his composition of the "Secrets". In Ciceronian terms, one could say that political experience served as the proximate cause for his authorship. Yet our analysis of this cause forges an additionally surprising connection, namely that Carcopino's personal encounters with these "Vichy portraits" had inspired his depiction of Cicero and his friends. We might thus infer that the classicist's regard for Vichy was as severe as that which he brought to bear on Cicero shortly afterward. In the just-cited passage, I accept without reservation the authors' first proposition, namely that Vichy influenced the writing of the "Secrets". I dissent, however, from their second argument, or, more precisely, would reformulate it in the following manner: it was not in Carcopino's critical distance from Vichy that the "Secrets" were born, but rather in his unconditional adherence to this regime. To support this interpretation, I will first examine the record of Carcopino's actions in the government of Marshall Pétain. Following this, I will analyze the construction of his work on Cicero, and will finish by treating the question of money, an element which appears central to a correct interpretation of the "Secrets".

As a non-historian, I do not pretend to bring new information to light that would unduly extend the boundaries of my examination for the purposes of this article. To this end, I have read the records, or at least the greater part of what has been published, of the administrative and ministerial actions taken by Carcopino,⁴ in *utramque partem*, and above all the *Souvenirs de sept ans*, a work which he himself published in 1953,⁵ and whose general line of defense can, it seems to me, be summed up in the following lines:

What has not already been said or written about the persecutions of the Vichy government against the Jews, the Freemasons, and the Communists? The truth is that, in final estimation, the government in which I served sought to mitigate the brutal application of the laws imposed by the Nazis

3 J. Carcopino . . . , *op. cit.* at iv.

4 Concerning the actions of Carcopino, I draw principally upon the work of S. Israel, *Les études de la guerre. Les normaliens dans la tourmente, 1939-1945* (1945), Paris, Editions rue d'Ulm, at 51-67 and *passim*.

5 *Souvenirs de sept ans, 1937-1944* (1953), Paris, Flammarion.

on the Marshall, and that, for my part, I did my very best to turn aside their blows.⁶

Carcopino credits himself with maintaining public education and religious neutrality, while strengthening state support for private schools as well.⁷ He emphasizes equally that, in a pacifying spirit, he limited his purges for political reasons:

I had the deep desire to revisit a great number of measures which appeared excessive or unjust. I will not inflict upon the reader an enumeration of those I diverted or declined to apply.⁸

During his radio address of March 16, 1941, he did in fact seek to distinguish himself from the more extreme elements of the collaboration by a sentence which, in the context of the time, was not lacking in courage: "I believe it impossible to remake post-war France while excluding certain members of pre-war France."⁹ Finally, concerning the laws of exception, for which he imputes total responsibility to the Nazis, he claims to have done everything to minimize their impact:

In April 1942, with some exceptions to which I will return, all professors of higher education remaining in France were, by my efforts, reinstated to the titles and privileges of their chairs.¹⁰

The High Court of 1947 subsequently declared in his favor that he had "opposed racist propaganda in the University", notably by refusing to create a chair in Jewish history for H. Labroue, a rabid anti-semite, a chair which would in fact be created by Carcopino's successor A. Bonnard. Carcopino's son defends his father's record thusly:

6 *Souvenirs de sept ans*, 358.

7 See *ibid.* at 326 for the following passage of a letter to Cardinal Suard dated September 29, 1941: "I immediately declared myself, and remain, opposed to a wholesale and spectacular subversion which puts the state in apparent contradiction with itself by seeming to incite divisions among—and inflict blame upon—its own schools, and I have sought the means to reconcile them with the greater necessities of public order and French unity."

8 *Ibid.* at 351.

9 *Ibid.* at 344.

10 *Ibid.* at 359.

He kept himself (and was kept) outside of politics; he believed above all in patriotism and national recovery. He wanted to protect the University against its adversaries and against itself, but also to prepare it for the future. One would have to deny the truth not to recognize that in this he clearly succeeded.¹¹

This “truth” was in fact denied in 1945 by the historian J. Isaac who said of Carcopino that, of all ministers of education, he was “the one who put the most authoritarian temperament and the firmest hand to the service of the ‘National Revolution.’”¹² Though the historians who judge Carcopino’s behavior severely acknowledge that he never himself made anti-semitic speeches,¹³ the fact that he had proposed to Petain the *numerus classus* of Jewish students,¹⁴ his refusal to reclassify Jewish civil servants in his ministry as *anciens combattants* or *pupilles de la nation* though legally allowed to do so, the severity with which he treated exemption requests by Jewish teachers who were not academics, together yield a vision discrepant from a “clear success.”

Whatever appreciation may be made of Carcopino’s career as Minister, the one fact that may not be denied—for the simple reason that he admitted it even after the Liberation—is the sincerity of his attachment to the Vichy regime. It suffices to cite what he wrote concerning the student disturbances that broke out at the Liberation:

11 *J. Carcopino . . . , op. cit.* at 134.

12 Quoted by C. Singer, *Vichy, l’Université et les Juifs* (1992), Paris, “Les Belles Lettres,” at 98.

13 M. O. Baruch, *Servir l’Etat français. L’administration en France de 1940 à 1944* (1997), Paris, Fayard, at 368, describes Carcopino as “incontestably patriotic and not at all Germanophile.” C. Singer, *op. cit.* at 99, also makes note of this absence of anti-semitism, but uses this rather to underline the particularly harmful character of Carcopino’s record: “Without generalizing or making a value judgment, the historian is within his rights to ask if Carcopino’s failure to assist the Jews, viewed alongside his elevated intellectual and moral reputation, was not in retrospect more devastating than Abel Bonnard’s forthright anti-semitism and collaborationism.” S. Israel, *op. cit.* at 131, recalls that “when Carcopino quit the Vichy government in the first days of April 1942, he suffered the attacks of the Parisian collaborationist press, who accused him of having dragged his feet and even protected Jewish professors.” Regarding these articles, see *Souvenirs . . .* at 590–591.

14 See his letter of June 1941 to the Marshall, cosigned by Admiral Darlan and quoted in extenso by C. Singer, *op. cit.* at 79–80: “Where Jewish doctors are no longer tolerated as doctors, it is no longer useful to let them study medicine. For those who can no longer teach, it is no longer useful to open the *agrégation*.” In the *Souvenirs . . .* at 369, Carcopino writes on the subject: “What was most tiresome for me was the creation of rules which established a *numerus clausus*, that is to say a maximum number of Jewish students, to be allowed in university departments and other institutions of higher learning.”

It is thus that, in a country still only poorly recovering from a great shock and constrained by terrible uncertainties, 'we disinfect ourselves' of Vichyism, while stirring up the eternal combatants that the Marshall's Government had sought to disarm.¹⁵

One searches in vain in the *Souvenirs* for a similar note of regret for lost liberty, a similar condemnation of arbitrary justice. As for the "Saint Simon-style portraits" of Vichy leaders, the best one can say is that they are not easily found. With few reservations, his depictions are dominated by appreciations of individual leaders each more fulsome than the one before.¹⁶ That the "Secrets", written at the same moment that Carcopino affiliated himself openly with the ideology of Vichy, may not be considered independently from that affiliation, invites a further exploration of the link between the book and these events.

A preliminary word should be given to the chapter which P. Grimal dedicated to the *affaire Cicéron* and which seems shot through by an unmistakable tension.¹⁷ As guardian of his master's legacy, he could hardly break from him in a work dedicated wholly to defending that legacy. Yet, as a great admirer of Cicero, whose life and works he had so remarkably studied,¹⁸ it was difficult for him to accept without reservation the caricature drawn by Carcopino. Thus appears a perceptible uneasiness, in particular at the point he comes to speak of a "Manichaeian concept of history."¹⁹ Grimal recalls that Carcopino's position was not immediately unfavorable to Cicero, but that it became so "to the extent that in his mind the genius of Caesar pitted itself against a republican regime nearing its end."²⁰ "Cicero," he declares, "was considered by Carcopino as a symbol of the execrable republic which had engendered Verres." Caesar, to the contrary, is "the providential man, the only one capable by exceptional genius of surmounting the difficulties and vanquishing the dangers Rome faced."²¹

15 *Souvenirs* . . . , at 333.

16 See, e.g., *Souvenirs* . . . at 359, where Carcopino presents Xavier Vallat, General Commissioner for Jewish Affairs: "Jewish commissioner M. Xavier Vallat did not take his place in the Cabinet Council; thus this glorious veteran of 1914–1918 felt his anti-semitic principles soften when a former soldier was concerned."

17 Such is the title he himself gives to the chapter concerning the "Secrets" in *J. Carcopino* . . . , at 251–272.

18 See, in particular, his *Cicéron* (1986), Paris. Having prepared my *thèse d'Etat*, on the subject *Cicero Academicus*, under P. Grimal's direction, I can testify that nothing could have been more alien to him than the hatred of Cicero at evidence in the "Secrets".

19 *J. Carcopino* . . . , at 255.

20 *Ibid.* at 253.

21 *Ibid.* at 254.

Thus, Cicero symbolizes the Roman republic's end, Caesar the "providential man," and all this at the moment when, on the rubble of another republic, a personalized power had established itself and earned the author's unreserved fealty.

It seems legitimate, therefore, to pose the following questions: Is Cicero, for Carcopino, the symbol of the Roman republic alone, or for republicanism writ large? Is Caesar merely the savior of Rome, or the archetype of all saviors, and in particular the one whom Carcopino revered during the years of occupation? Deeper still, perhaps, we may ask why Cicero became the object of his censure: for being the symptom of the inevitable disintegration of the *res publica* or, on the contrary, for having affirmed, against the prevailing winds and tides the sovereignty of the *populus*, and for being, in his own ascent as *homo novus*, the symbol of necessary renewal among the elite?

In a work too little known in comparison to its merits, Jacques Bouineau showed how the revolutionaries of 1789 had experienced, in a state of near-hallucination, the events of their time through the characters and themes of Roman antiquity.²² In conditions clearly reversed from an ideological point of view, it appears that a transference of the same type took place within Carcopino.²³ His incomparable knowledge of Roman history and the works of Cicero found itself mobilized in service of a thesis—that of the publication of Cicero's letters by Octavian for malicious purposes (see chapter 11, p. 290)—which was destined to blacken the reputation of an eminent man. For beyond his political career in Rome at the republic's end, and notably for his theoretical works including the *De re publica* and the *De Legibus*, Cicero was unsurpassably a source of inspiration for republicans of every era. Each one has his temperament and his manner of expression. R. Brasillach—himself not at all favorable to Cicero²⁴—had openly insulted the republican ideal, confounding

22 *Les toges de pouvoir ou la révolution de droit antique 1789–1799* (1986), Toulouse, Association des Publications de l'Université de Toulouse-le-Mirail et Éditions Eché.

23 Carcopino was clearly not the only one to dabble in this genre of stirring antiquity into one's own era. See A. Kaplan, *Intelligence avec l'ennemi. Le procès Brasillach* (2000), Paris, Folio Gallimard, at 38, for the use the *Action française* made of Virgil well before their defeat.

24 See his commentary on the death of Cicero in *Présence de Virgile* (1931), Paris, Librairie de la Revue Française, at 65: "Several days later, it appeared that Cicero had taken his own life at Gaète, the 4th of December 43. This counselor was now finally silent, calm, and reserved, who had been in his life an 'intruding fool,' as Hamlet said of Polonius." P. D. Tame, *La mystique du fascisme dans l'oeuvre de Robert Brasillach* (1986), Paris, Nouvelles Éditions Latines, at 163, notes concerning these lines, "While Brasillach wrote this passage, he could imagine several characters of the Third Republic as candidates for the role

the republic's crisis with the republic itself. Carcopino attacks the republican concept much more cryptically, subtly, and ambiguously, by symbolizing its flaws in those of a single man. This enterprise was made easier by the fact that the chosen symbol was himself, of course, not above reproach. It would have been more difficult, perhaps, to symbolize the opposition of republic and dictatorship by the confrontation between Cato and Caesar, as Lucan had done; but strangely, Cato, quoted frequently in the "Secrets", never succeeds in holding Carcopino's attention. Because he fails to venture into the domain of political theory, it is thus difficult to say whether he considered the republic as an intrinsically perverse institution (as did the followers of *l'Action Française*), or rather that the incapacity of the republican regime to remedy its own crisis justified the periodic intervention of a savior.²⁵

Let us enter now into the structure of the "Secrets." As explored thoroughly by Grimal,²⁶ the two volumes constitute a diptych in which the first section makes a "horrific appraisal" of Cicero's personality, whereas the second demonstrates that "the same letters served positively, and no longer negatively, the policies embarked upon by Octavian after 43." The general logic of the work is summarized by Grimal in a formulation that I wholeheartedly accept: "Each trait that condemns Cicero contributes inversely to Caesar's glorification." We must nevertheless enter into the work's construction at an earlier point, more precisely in that of the first book, in which, as Grimal puts it, the author "makes the friends of Cicero tremble." This phrase alone seems exceptionally rich in meaning.

At first reading, the work seems perfectly adapted to its subject: a first section entitled "Private Life," a second entitled "Public Life." Within the first, two chapters treat Cicero's cupidity: "Cicero's Fortune and Lifestyle," which aims to prove that the orator was a moneyed man and one of the great profiteers of the republican regime; and "Greed and Indelicacy," where Carcopino assembles a thousand details to show that Cicero the lawyer had been extraordinarily rapacious with regard to his clients. A third chapter, "An Inconsistent Family Life,"

of a modern Cicero." On the role of A. Bellessort, preparatory teacher at Louis-le-Grand, in the ideological use of Virgil, see *ibid.* at 160.

25 The testimony of Cl. Carcopino, *op. cit.* at 89, should here be noted: "He no longer remained confident in the good sense of the French, content to live in a country sufficiently stable and prosperous to give themselves luxuries and trust in democracy. This democracy had always enjoyed his full approval because for him it represented the only chance men had to live alongside one another."

26 *J. Carcopino . . .*, at 266.

alights upon his tangles with Terentia and calls into question the sincerity of his affection for his daughter Tullia.²⁷ The second section presents a public portrait of Cicero in which every defect is in full and pitiless display. To quote its conclusion,

These are the Letters which, laying bare the good lawyer for bad causes, the greedy businessman, the bad husband and selfish father, having failed in his each of his pretensions to statesmanship, finally bar the path to any attempted rehabilitation.²⁸

Let us take a closer look at the structure of this passage, which contains a possibly surprising element, namely the consideration of Cicero's family life at the middle of his first volume, whereas a more logical placement would have made his family background the starting point. By way of example, Carcopino's work on Caesar begins by evoking, as was tradition, his origins and family background prior to taking up his formative years and then his political career.²⁹ To my eyes, the strange construction of the first volume of the "Secrets" seems to find at least a hint of an explanation in the fact that it alludes in negative form to the emblematic triptych of the regime in power during the work's composition: "Work, Family, Country." In negative form, because at each of these three steps Cicero appears as the perfect antithesis of the values extolled by the National Revolution:

27 Here assuredly is one of the most unpleasant aspects of the "Secrets," in that the evidence could not be clearer, as Carcopino himself cannot deny, at 234 n.1, "the passionate devotion that Cicero's daughter inspired in him, whose sweet affection, womanly modesty, and lively intelligence he found equally enchanting;" yet all the author's effort is to show that this was all a simple façade, behind which lay the habitual tricks of an orator. Among his most contestable assertions, the argument *a silentio* (*ibid.* at 254), according to which the slight role Tullia played in his correspondence, proves her father's lack of real affection. As if all his letters survived, or if the intensity of his feelings could be measured only by the frequency of their expression! More unjust still is the manner in which the author treats Cicero's grief at his daughter's death, *ibid.* at 286: "On the pretext of soothing his distress, he shrinks it to the length of a school exercise, and profanes it by lowering it to the level of his literary vanity." Let us simply note that it is unfortunate that more of the Ancients did not "shrink" their personal sorrows into philosophical works of Cicero's caliber.

28 *Ibid.* at 441.

29 *Jules César* (1965), Paris, Les libraires associés.

- “the good lawyer for bad causes, the greedy businessman”: Cicero had no vocation in the noble sense of the term, he merely earned money, and did so in with unceasing dishonesty;
- “the bad husband and selfish father”: he is incapable of having a real family life, simply because he subordinates any feelings for his loved ones to his financial or political interests;
- “his pretensions to statesmanship”: not only does he not really love his family, he does not really love his country either. The republic is only a means to serve his ambition, that is to say his vanity, and finally his greed. Ciceronian politics is nothing other than the “desire for material advantages and the satisfactions of self-regard,” dissembled behind an Academic probabilism that was merely “whole-scale opportunism.”³⁰

It is thus unsurprising that the second book of the “Secrets” begins by an ambiguously entitled chapter, “Testimony for Caesar.” From the author’s point of view, it is Cicero’s correspondence that testifies, paradoxically, in Caesar’s favor. In its terseness, however, the title additionally reveals Carcopino’s own adherence to Caesar, a Caesar who replaces the republican corruption incarnated by Cicero in the same manner as Pétain substitutes himself for the corrupt Third Republic.

What the book’s construction aims to prove above all is that Cicero’s very being is rooted in the unquenchable desire to accumulate money, and that his personality can only be explained by this desire. Grimal, who one would not suspect of animosity with regard to his mentor, does not hesitate to speak of an “insidious distortion”³¹ and reproaches Carcopino for practicing “a latent anachronism.” It is fitting to bring these remarks into fuller context:

The ‘indelicacies’ in question, for example, were certainly not considered as such in the world of the late Republic, when mores regarding money were less refined than our own.³²

I am not convinced that the relativist explanation exhausts all aspects of this problem.

Let us state first that in the “Secrets” money plays the role of a negative metric and that this metric corresponds less to economic realities or ethical preoccupations than to ideological imperatives. We should note, for example,

³⁰ *Les secrets* . . . , at 379 n. 1.

³¹ *J. Carcopino* . . . , at 269.

³² *Ibid.*

that it is on this basis that Brutus, another great republican figure, is disqualified. To this end, Carcopino makes reference to “trafficking more or less legal and frankly dishonest rackets he made use of between 56 and 50 B.C.E., in Rome’s provinces and among its vassal kings.”³³ When actual money cannot be blamed, a metaphor may be substituted. Concerning Cato, whom it would be difficult to portray as corrupt, we read the following in a sentence which recalls the reaction of those victims of Cicero’s *bon mots*: “We could hardly believe that these men here, Cato at their head, would not repay with interest the change from these coins.”³⁴ This is admittedly a small detail, but it permits, at the level of imagination in any event, an association between Cato and the most disreputable use of money, an association that the author’s integrity, such as it was, would forbid him to establish in the realm of historical fact.

The fact, underscored by Grimal, that Carcopino had not taken into account the discrepancy in attitudes past and present with regard to money, constitutes an argument sufficient in itself that the author of the “Secrets” sought to condemn the Romans *en bloc* on this point. Yet this is clearly not the case. The money that tainted Cicero did not apparently have the same ill effects on Caesar and Octavian, whose desire for and corrupting use of wealth would have seen the orator demoted to the rank of bumbling apprentice. A single example will suffice here. Attempting to explain why Octavian would have authorized the publication of letters hostile to him, Carcopino writes the following:

This publication was designed to extend Octavian’s popularity by dusting off a clever tactic of Julius Caesar’s devising. In former times, he had subsidized the father-and-son team of the Curios in the production of their outrageous pamphlets, eliciting a positive reaction from the masses therefrom . . . Octavian intended to draw from the imbecility of these slanders a surfeit of prestige and public sympathy.³⁵

The “clever tactic”! We have no difficulty in imagining the terms the author would have employed had Cicero tried something similar. In the same passage, it is the “profound immorality and bloody violence of Cicero” that earns the author’s rebuke. It is true enough that, perhaps conscious of having tipped the balance too far, Carcopino writes several pages later that: “Caesarism gave rise two thousand years ago to the treacherous tactics that dictators of every era

33 *Les secrets* . . . , at 113 n. 2.

34 *Ibid.* at 364 n. 1.

35 *Ibid.* at 159, n. 2.

have since, at the expense of their captives, found necessary recourse.”³⁶ This distance, rarely found in his work, takes nothing away from the fact that the moral condemnation he uses and abuses with regard to Cicero is most often absent when it comes to Caesar.

One could easily have indicted the *popularis* Caesar, alleged defender of Rome’s most miserable poor, on similar grounds for having spent such energy amassing his own personal fortune. But if there is an argument that pleads in favor of this dissymmetry, it is clearly the fact that Cicero was a philosopher. Let us hear the reproach by which Carcopino summarizes in a single lapidary sentence, a veritable *sententia*: “His philosophy was good enough for others. As for himself, he succumbed with alacrity to the weaknesses he had condemned.”³⁷ This demonstration is made untenable by the cleverly constructed *hysteron proteron* that it requires. It is premised on giving the reader the impression that Cicero’s philosophical treatises were written at the beginning of his life, giving rise to a continual contradiction between his thought and his action.³⁸ Though it is true that Cicero claimed to have philosophized all through his life,³⁹ everyone knows that his moral treatises were only written after the civil wars, and bear the trace of political and personal failures. These are the works of a self-described *homunculus*,⁴⁰ a diminished man who after having made numerous errors, sought to answer the question of life’s ultimate purpose.

It should be added, contrary to such tenacious prejudice, that the possession of wealth had never, not even in the most orthodox Stoicism, been considered a vice. Wealth was merely an indifferent, less important finally than the use one made of it, as affirmed throughout the *De officiis*. This treaty would never have borne such profound influence upon Western ethical thought if it had been perceived as the work of a hypocrite in perpetual contradiction with his stated principles. Let us remember as well that Cicero, as a *homo nouus*, needed money to maintain the social status that Caesar enjoyed by a simple accident of birth.⁴¹ As it happens, Carcopino is obliged to recognize that Cicero had delegated the management of his finances to Tiro, about which we find the following rather ambiguous sentence in the “Secrets”:

36 *Ibid.* at 185.

37 *Ibid.* at 117, n. 1.

38 Notably in the section entitled “The Reveler,” at 126–146.

39 See *De Nat. Deor.* 1.6.

40 See *Tusc.* 1.17: *homunculus unus e multis probabilia coniectura sequens*.

41 This point assumes even greater importance in reference to the testimony of Cl. Carcopino, *op. cit.* at 88: “As for the great fortunes, especially belonging to noble families over several generations, they impressed him, in particular those who, whether in Italy or France, were in the hands of figures in whom were combined great culture, altruism, simplicity, and sense of duty with respect to themselves and devotion toward others.”

Tiro was for his master, in the matter of his accounts, what one proverb calls “the bow and the stern,” or what in Hebrew would have been called the law and the prophets.⁴²

Under Carcopino’s pen, Cicero, martyr of the republican cause, becomes the symbol of money’s corrupting influence upon the state. In the context of the Occupation, this theme carries none of the neutrality that the historian’s work demands. A frequent motif of extreme-right polemics between the two wars—one thinks, for example, of the slanderous campaign concerning the golden tableware that Léon Blum never possessed—the condemnation of money in metaphysical terms became a major theme of the Vichy government. The values of rootedness and labor were constantly opposed to those of stateless and corrupting wealth.

In the application of this schema to Cicero, Carcopino comes up against a major challenge: it was difficult, to say the least, to portray as stateless a man who had spoken with such great force of the ties which bound him so strongly to Arpinum. An essential insight emerges here. In order to make the shoe fit—in other words, that the French present be fused entirely to the Roman past—the author was required to prove that Cicero harbored no great sentiment for the land of his forefathers. This *tour de force* is the product of two manipulations. The first relates to placement: contrary to all biographical and historical traditions, Cicero’s family origins in Arpinum are mentioned not in the section dedicated to his family, but rather the one dedicated to wealth,⁴³ his family life being reduced to scenes of household and divorce.

This displacement achieved, it was still necessary to dissociate Cicero from his dear “little country” of Arpinum. This is done by a series of observations concerning the orator’s family estate, in which the textual evidence is stretched in highly disputable fashion. Carcopino first informs us that the property had been directly managed by the orator’s father while the son had left its cultivation to local farmhands. While indisputable, this observation immediately places the former on the side of the land and the latter on the side of money. In other words, while the father maintained his direct contact with the land, his son was concerned only with the money it produced. The author’s malicious intent is confirmed by a second remark: the father contented himself with a modest estate, while the son found “too petty and rude for the tastes of a former consul the manor house whose simplicity had well suited his parents.”⁴⁴

42 *Les secrets* . . . , at 113, n. 1.

43 See *ibid.* at 78.

44 *Ibid.* at 78.

Cicero is here accused of wanting to introduce “rock gardens and embellishments” (note especially the plural form).⁴⁵

What provides the foundation for this argument? A letter to Atticus, in which the Arpinate asks his friend to describe the Amaltheum of his castle at Epirus and adds, *lubet mihi facere in Arpinati*.⁴⁶ Thus we have a *procès d'intention* in all senses of the term.⁴⁷ These embellishments Cicero envisioned were only partially realized, as two years later Cicero could still refer to Arpinum as a *hospitium agreste*.⁴⁸ The greater evidence remains the passage from the second book of *De Legibus*, where Cicero unambiguously expresses his love for the land of Arpinum and his family roots in the region:

To tell you the truth, this is really my own fatherland, and that of my brother, for we are descended from a very ancient family of this district; here are our ancestral sacred rites and the origin of our race; here are many memorials of our forefathers. What more need I say? Yonder you see our homestead as it is now—rebuilt and extended by my father's care; for, as he was an invalid, he spent most of his life in study here. Nay, it was on this very spot, I would have you know, that I was born, while my grandfather was alive and when the homestead, according to the old custom, was small, like that of Curius in the Sabine country.

For this reason a lingering attachment for the place abides in my mind and heart, and causes me perhaps to feel a greater pleasure in it; and indeed, as you remember, that exceedingly wise man is side to have refused immortality that he might see Ithaca once more.⁴⁹

Carcopino shears this quotation of any allusion to Cicero's ancestral origins, so problematic for his theory of Cicero's rootlessness, so that the Arpinate's attachment to this place loses all its historical depth. This foreshortening also allows the submergence of the fact that it was Cicero's father who had made the estate more luxurious, not the son. He then warns his readers against any sympathy they might give to a text whose lucidity would seem to disallow any

45 This *amplificatio* is further developed on page 80 where the author evokes “the additions and transformations he imposed upon the family villa.”

46 *Att.* 1.16.18 (June 61).

47 There is no direct counterpart in English for this French term of art; the meaning is something like “trial by presumed intent.”

48 *Att.* 2.16.4 (May 59).

49 *De Leg.* 2.1.3, in *Cicero: On the Republic, On the Laws* (ed. C. W. Keyes, 1928), Loeb Classical Library. Cambridge, MA, Harvard University Press.

doubt of its truth: 'But we are not duped by the emotion that Cicero stirs in, for the reading public, to his reminiscences.'⁵⁰

What permits the author to question so severely the evident sincerity of such a passage? A letter to Atticus, written several years prior to the *De Legibus*,⁵¹ in which Cicero claims to his friend that he prefers on this occasion to receive him at Formiae rather than at Arpinum, and adds a quotation from Homer: "Nothing but rocks, it still nourishes great lads. Than this earth there is nothing sweeter to my eyes."⁵² This leads Carcopino to comment as follows:

Despite the additions and transformations he imposed upon the family villa, Cicero himself preferred, as soon as it was possible, those that through acquired riches he had fitted out according to his will.⁵³

His inability to find any evidence to oppose the moving testimony of the *De Legibus*, save for several lines from a letter in which Cicero's love for Arpinum is unquestionably clear, poses a significant problem. How could a great historian, a man of high culture and superior intelligence, stray onto such unworthy ground? Far from considering this an incomprehensible fancy, I believe that the reasoning which appears today as an aberration is explainable not with recourse to antiquity, but rather to the ideological context in which Carcopino's words were written. Cicero could not really love Arpinum, despite the luminous evidence of his works, because he was the symbol of republican values, and such a symbol, under the ideology of Vichy, must necessarily remain a stranger in his own land.

It is worth asking, at the conclusion of these remarks, whether Carcopino may paradoxically have rendered Cicero a great service. In constructing an outrageous portrait in which one of the great symbols of the Roman republic was charged with all the grievances Vichy bore against its outcasts, he revealed to what extent the *homo novus* from Arpinum could remain intolerable for a dictatorial regime two thousand years afterward. Ultimately, the fact that at the heart of the Occupation Cicero served as the ultimate foil of someone who adhered unreservedly to the ideology of Vichy can only add to his glory. For those who write history, the case of the "Secrets" proves that even the greatest

⁵⁰ *Les secrets*, p. 79.

⁵¹ *Att.* 2.11.2 (April 59).

⁵² *Od.* 9.27–28.

⁵³ *Loc. cit.*

scholars may succumb to the temptation to project upon antiquity the fantasies of the present.⁵⁴

54 Originally published as: "Textes antiques, enjeux contemporains: J. Carcopino lecteur de la correspondance de Cicéron" in P. Laurence and F. Guillaumont (eds.), *Epistulae antiquae* IV (Louvain-Paris, 2006), 385–397. English translation by Lex Paulson.

PART 4

German Reception and Its Influence



Cicero and the Fourth Triumvirate

Gruen, Syme, and Strasburger

William H. F. Altman

Bruno Weil discovered the Third:¹ his chronological account of the last phase of “two thousand years of Cicero” revolves around Hegel, Drumann, and Mommsen.² The structure of this phase bespeaks wishful thinking on Weil’s part: after chapters on “Hegel and Drumann,” “Theodor Mommsen,” “Mommsen’s Contemporaries and Followers,” and “Mommsen’s non-German Allies,” he completes the fourth part of his study (“In Our Time”) with “Return to Cicero.”

The turn or, if one prefers, the return to Cicero, that has emerged even in Germany after the collapse of the Hitler experiment is not entirely free from political considerations. The turning away from totalitarian conceptions is self-evident in the free world and the ultimate triumph of individuality, thoughts of independence, and freedom, will from now on be the hope of countless people. The knowledge of how valuable an ally in this thousand-year battle Cicero surely is, and will for a long time remain, breaks through anew—as the author believes to have already happened—in Germany as well.³

In other words, Weil believed that Nazi Germany’s defeat had performed a *reductio ad Hitlerum* on what I am calling “the third triumvirate,”⁴ and that a

1 For the application of “triumvirate” to like-minded historians of republican Rome, see Oswyn Murray, “Arnaldo Momigliano in England,” *History and Theory* 30 (1991), 49–64.

2 The concluding section (“Quintessenz: Beredsamkeit und Anwaltschaft”) of Bruno Weil, *2000 Jahre Cicero* (Zürich and Stuttgart: Werner Classen, 1961) is thematic rather than chronological; it deals with the intersection of eloquence and the practice of law (cf. 19). For another lawyer’s book discussed by Weil (339–40), see Robert N. Wilkin, *Eternal Lawyer: A Legal Biography of Cicero* (New York: MacMillan, 1947).

3 Weil, *2000 Jahre*, 361–62 (all translations are mine unless otherwise indicated); this is the spiritual highpoint of the book.

4 Weil, *2000 Jahre*, 318: “A straight line leads from the time after the Napoleonic wars, through the poets who call for the ‘liberation’ and unity of Germany, through the philosophers and historians, of whom the most important examples are Hegel, Drumann, and finally

heightened appreciation of Cicero would now become the hallmark of a more enlightened age.⁵ With his homesick eyes understandably fixed on his native Germany,⁶ Weil ignored the signs that a new assault on Cicero was already taking shape among “the English-speaking peoples.”

On the other hand, Weil more than compensated for his overly optimistic prognosis for the second half of the twentieth century by his emphasis on Hegel, and before considering what I am calling “the Fourth triumvirate”—Hermann Strasburger, Sir Ronald Syme, and Erich S. Gruen⁷—some further consideration of the Third is appropriate. Both Drumann and Mommsen could be easily assimilated into what Zielinski had earlier called “the Cicero caricature”⁸ and Weil draws attention to the cautious manner in which his predecessor had already done so.⁹ But Zielinski had ignored

Mommsen, to the dictatorial regimes of our century.” In addition to this passage, see 333 and 346 for the triad of Hegel, Drumann, and Mommsen (cf. 15); notice also that Carcopino replaces Hegel on 338 and 361 and that Wilken enters the narrative as Carcopino’s critic. For (rejection of) the *reductio ad Hitlerum*, see Leo Strauss, *Natural Right and History* (Chicago: University of Chicago Press, 1953), 42.

- 5 The determination to end a study of Cicero’s reception on a happy note is also characteristic of Thaddäus Zielinski, *Cicero im Wandel der Jahrhunderte*, fifth edition (Darmstadt: Wissenschaftliche Buchgesellschaft, 1967) who ends his account with the Enlightenment (see also 100, 197, and 202).
- 6 Apparent at Weil, *2000 Jahre*, 305 and eloquent in the letter he writes for Cicero (19–33) in response to the letter he has written to Cicero (9–18) on 25: “Only he who knows the sorrow of exile, only he who is driven out of his native city and his fatherland, can measure the pain that held me captive in its full depth.” Note in particular the baleful role his astute “Cicero” ascribes to the Claudians in this letter at 24 and 26.
- 7 T. P. Wiseman, “Roman History and the Ideological Vacuum,” in his *Remembering the Roman People: Essays on Late-Republican Politics and Literature*, 5–32 (Oxford: Oxford University Press, 2008) is a precedent for connecting the three.
- 8 See the self-contained essay “Die Cicerokarikatur im Altertum” (280–88) in Zielinski, *Cicero im Wandel*; his emphasis on the role of Asinius Pollio will receive further consideration below in relation to Ronald Syme, *The Roman Revolution* (Oxford: Oxford University Press, 1939).
- 9 Although explicitly critical of Drumann (*Cicero im Wandel*, 259, 276, and 354), Zielinski never mentions Mommsen by name (but see 207), indeed Weil claims he did not dare to do so (*2000 Jahre*, 349). But an anonymous reviewer saw through this silence: “With such a champion as Professor Zielinski is, the friends of Cicero may well take heart, for, as one reads this masterly summary of Cicero’s after-life, *Cicero im Wandel der Jahrhunderte* (Teubner), Drumann’s savagery and Mommsen’s sarcasm, the bludgeon of the one and the rapier of the other, lose weight and point.” See “Brief Mention,” *American Journal of Philology* 18 (1897), 242.

Hegel,¹⁰ an understandable oversight. Unlike the caricaturists, Hegel's attack on Cicero was neither personal nor detailed: he trained his fire on the Roman Republic, and his attack on its defender gained tremendous power as a result. The reason that Zielinski and Weil end their stories with, respectively, the Enlightenment and Hitler's defeat, is that even if the Roman Republic fell, its champion's principles would rise again and ultimately be vindicated. Even without any progress toward this triumphant future, a defense of Cicero's life could also follow the analogy of Quixote: although chimerical, the lost cause for which he died was arguably ennobling. But if the significance of Cicero's life can be salvaged even though the cause for which he gave it was defeated, it is annihilated if that defeat was inevitable, rational, and right. And this was precisely Hegel's contribution: "The Republic could no longer exist in Rome."¹¹

It is therefore to Weil's credit that he quotes extensively from the paragraph that begins with these words in the chapter "Hegel and Drumann." If the transition from the one to the other is less admirable,¹² the chapter nevertheless contains some interesting remarks quite apart from the revealing quotations from Drumann and his editor Paul Gröbe (1929).¹³ After a clear statement of his conviction that no historian can free himself entirely from the influence of the present,¹⁴ and after stating that his goal is "to show the ebb and flow in the appreciation of Cicero and his influence in the course of time,"¹⁵ he combines the two in an important admission:

10 But the pervasive triadic structure of Zielinski's book (see Introduction) testifies to Hegel's influence; see also *Cicero im Wandel*, 317 and 323–24.

11 Georg Wilhelm Friedrich Hegel, *The Philosophy of History*, translated by J. Sibree (New York: Dover, 1956), 312; thus begins the passage to which Karl Marx referred in the first sentence of *The Eighteenth Brumaire of Louis Napoleon*: "They [sc. Cicero, Brutus, and Cassius] believed that if this one individual [sc. Caesar] were out of the way, the Republic would *ipso facto* be restored. Possessed of this remarkable hallucination, Brutus, a man of highly noble character, and Cassius, endowed with greater practical energy than Cicero, assassinated the man whose virtues they appreciated. But it became immediately manifest that only a *single* will could guide the Roman state, and now the Romans were compelled to adopt that opinion; since in all periods of the world a political revolution is sanctioned in men's opinions, when it repeats itself" (313).

12 Weil, *2000 Jahre*, 300–3, ending with: "After the humanitarian and romantic, the nationalistic epoch then commenced in Germany, in which the historians distanced themselves from Cicero, first by dimming his memory and then by abusing it. The next after Hegel who did this is Professor Drumann."

13 Weil, *2000 Jahre*, 304–8.

14 Weil, *2000 Jahre*, 303.

15 Weil, *2000 Jahre*, 304–5.

I believed that it should be shown why the German destroyers of the memory of Cicero and their non-German epigones, despite their outstanding knowledge of Roman history, have fallen into the error that, when they hoisted the great and unique Caesar to the heavens, they thereby forgot that he has remained the embodiment of dictatorship up to our own day and its continuously admired model.¹⁶

Although it seems a bit generous to attribute this “error” to forgetfulness, Weil does put his finger on another key element in the nineteenth century attack on Cicero: the reciprocal elevation of Caesar who, as Hegel would put it, had been the first to realize that “the Republic could no longer exist in Rome.”

It is certainly tempting to subordinate Mommsen’s dismissal of Cicero as an unprincipled “trimmer” to his celebration if not apotheosis of this far-sighted and purposeful Caesar.¹⁷ But it is also understandable that Weil, whose primary topic is Mommsen’s vituperative attack on Cicero, would tend to see in “the ideological antithesis between him and Caesar” a more essential connection between this attack on “the martyr of the dying Republic” and Mommsen’s lavish praise for “the flag-bearer of dictatorship.”¹⁸ Although an appropriate formula for the relationship between Caesar and Cicero is difficult to articulate,¹⁹ Mommsen’s example teaches us how this relationship can

16 Weil, *2000 Jahre*, 305; for a similar spirit in wartime, consider H. J. Haskell, *This Was Cicero: Modern Politics in a Roman Toga* (New York: Alfred A. Knopf, 1942). Also relevant is W. Rüegg, *Cicero und der Humanismus* (Zürich, 1946).

17 For Cicero as *Achselträger*, see Theodor Mommsen, *Römische Geschichte*, second edition, volume 3 (Berlin: Wiedmannsche Buchhandlung, 1857), 168 (quoted on Weil, *2000 Jahre*, 311). For “apotheosis,” see Theodor Mommsen, *The History of Rome*, translated by William P. Dickson, volume 4 (New York: Charles Scribner, 1870), 207–8, a passage ending with: “Thus he worked and created as never any mortal did before or after him; and as a worker and creator he still, after wellnigh two thousand years, lives in the memory of the nations—the first, and the unique, Emperor Caesar.”

18 Weil, *2000 Jahre*, 315; cf. M. S. Slaughter, “Cicero and His Critics,” *Classical Journal* 17 (1921), 120–131 on 123: “Cicero’s ‘folly’ grew to a crime in the minds of Drumann, his most diabolical detractor, and of Mommsen, Drumann’s unscrupulous successor in the business of character defamation. The crime for which Cicero is maligned by these anything but self-effacing critics is an incurable faith in a free state.”

19 Cf. Gilbert Highet, *The Classical Tradition: The Greek and Roman Influences on Western Literature* (Oxford: Oxford University Press, 1949), 477: “It is regrettable, therefore, that Mommsen was misled by the political aspirations of his own time and place into making a radically false estimate of the man who, more than all others, transmitted Greco-Roman philosophical and literary thought to the modern world. The early empire is not only Augustus; it is Vergil. And in the last generation of the republic, and for the future of

have a profound impact on Cicero's reception. The way one characterizes that relationship is also inextricably connected to whether or not one regards the fall of the Roman Republic as inevitable; as Hegel famously put it: "Caesar, judged by the great scope of history, did the Right."²⁰ But despite the fact that Mommsen's Caesarism has long been recognized as the salient feature of his *Roman History*, Weil was astute not only to emphasize its Hegelian roots, but also to remark "his almost pathological antipathy to Cicero."²¹

Ronald Syme died three days before the fiftieth anniversary of the publication of the *Roman Revolution*, at the age of eighty-six. The second founder of Roman History as the modern scholarly enterprise we know had exceeded by six months the age attained by the first. Both he and Theodor Mommsen wrote, travelled, and continued to relish new work by themselves and others until the very end.²²

the world, the work of Caesar was no more vital than the work of Cicero." Despite Highet's caution here ("no more vital than"), there is something to be said for viewing this relationship as a zero-sum conflict; cf. his 691 n. 14.

- ²⁰ Hegel, *Philosophy of History*, 312. For a nineteenth century appraisal of Hegel's impact, see Lord Acton, "German Schools of History," *English Historical Review* 1 (1886), 7–42, especially 19. See also Zvi Yavetz, "Caesar, Caesarism, and the Historians," *Journal of Contemporary History* 6 (1971), 184–201 on Hegel (192: "the fall of the Republic was a historical necessity") and Mommsen's "Caesarism" (189–190).

- ²¹ Weil, *2000 Jahre*, 312. Indeed a case can be made for seeing this antipathy as the primordial phenomenon; see James F. McGlew, "Revolution and Freedom in Theodor Mommsen's *Römische Geschichte*," *Phoenix* 40 (1986), 424–445. In this brilliant article, McGlew shows how Mommsen's emphasis on *provocatio* in the more technical works that followed his passionate *Roman History* shows just how deep that antipathy was; in addition to the passages cited in 435 n. 22, see Theodor Mommsen, *Römisches Staatsrecht*, volume 3 part 2 (Leipzig: S. Hirzel, 1888), 1240–51. It is remarkable that Mommsen nevertheless based his claims about the central importance of appeal to the people by *provocatio* to Cicero's wishful proposals in *De Legibus* (3.6 and 3.27); see J. Bleicken, "Provocatio," *Realencyclopädie* 23/2 (1959), 2456–57.

- ²² M. T. G[riffin], "Sir Ronald Syme, 1903–1989," *Journal of Roman Studies* 80 (1990), xi–xiv on xi. The author goes on to draw similar parallels between Mommsen and Syme for "those who marvel at such things"—G. W. Bowersock, "Ronald Syme 1903–1989," *Proceedings of the British Academy* 84 (1993), 539–563 adds that Syme was born the year of Mommsen's death—before explaining to the more prudent that the relationship "was in part a disruption, in part a continuation." See also Alfred Heuss, "Der Untergang der römischen Republik und das Problem der Revolution" *Historische Zeitschrift* 182 (1956), 1–28, Karl Christ, "Crisi della Repubblica e 'Rivoluzione Romana,'" *Labeo* 26 (1980), 82–90, and J. Linderski, "Mommsen and Syme: Law and Power in the Principate of Augustus" in Kurt A. Raaflaub and Mark Toher (eds.), *Between Republic and Empire: Interpretations*

This comparison marks the transition from Weil's third to my fourth triumvirate in which Sir Ronald Syme will play the central part. Weil never mentions Syme, an oversight for which there is no chronological justification since *The Roman Revolution* was published on the eve of World War II. But even if he had been aware of Syme's work—and this seems unlikely²³—Weil's silence could be explained by the structure of his book: while it would be difficult to recognize Syme among "Mommsen's Non-German Followers," it would be impossible to include him in the hopeful "Return to Cicero." The relationship between the two is unquestionably a fascinating one, not least of all because Syme's analysis of Augustus arguably filled the problematic lacuna famously left by Mommsen.²⁴ Another point of contrast is more controversial: while an approach like Weil's explicitly enrolls Mommsen among the forerunners of fascism, a not altogether compelling orthodoxy explains the echoes of Mussolini in Syme as being overtly critical.²⁵ In any case, the obvious connection is one of contrast: Syme is famously skeptical about or rather dismissive of those far-reaching intentions that make Mommsen's Caesar the object of adulation.²⁶

of *Augustus and His Principate*, 42–53 (Berkeley, Los Angeles, and London: University of California Press, 1990).

- 23 For the delayed German reception of Syme, see Géza Alföldy, *Sir Ronald Syme, 'Die römische Revolution' und die deutsche Althistorie* (Heidelberg: Carl Winter, 1983). Incidentally, an amusing moment in the reception of Syme is Addison Ward, "The Tory View of Roman History," *Studies in English Literature* 4 (1964), 413–456; the author uses Syme's *Roman Revolution* to validate the historical accuracy of the Tory position on 454–55, culminating with: "the failings of Cicero, which aroused such bitter controversy in the mid-eighteenth century, are now taken for granted by historians."
- 24 For a concise summary of "the Mommsen problem" (475), see Highet, *Classical Tradition*, 474–77. See also McGlew, "Revolution and Freedom," 440.
- 25 The simple truth, without any effort to excoriate, palliate or explain, is stated by M. T. G., "Sir Ronald Syme," xii: "*The Roman Revolution* echoes the language of Mussolini in treating Octavian's regime." For the orthodox position, see Linderski, "Mommsen and Syme," 43. H. Galsterer, "Syme's Roman Revolution after Fifty Years" in Raaflaub and Toher, *Between Republic and Empire*, 1–20 on 3, Fergus Millar, "Style Abides," *Journal of Roman Studies* 71 (1981), 144–52 on 146, and A. J. Woodman, *Rhetoric in Classical Historiography: Four Studies* (London & Sydney: Croom Helm, 1988), 205: "No doubt it was Sir Ronald's personal hatred of autocracy which first attracted him to the historians who had criticized its existence at Rome (His book was written as Hitler's Third Reich was extending its shadow over Europe, and published three days after war with Germany was declared.)" Syme visited Germany in August 1939 (see below).
- 26 Syme, *Roman Revolution*, 47: "The conquest of Gaul, the war against Pompeius and the establishment of the Dictatorship of Caesar are events that move in a harmony so swift and sure as to appear pre-ordained; and history has sometimes been written as though

But despite their differences about the extent of Caesar's foresight—and I will argue that this constitutes the principal difference between the two sets of triumvirs—the continuity between Mommsen and Syme will be obvious to an admirer of Cicero.

This is not to deny that *The Roman Revolution* is a remarkably subtle book: consider the role of Asinius Pollio in Syme's masterpiece.²⁷ Since Pollio began his history with the First Triumvirate, he is tacitly present from the very beginning ("the subject of this book is the transformation of state and society at Rome between 60 B.C. and 14 A.D.") although his influence is made explicit only in the third paragraph:

In narrating the central epoch in the history of Rome I have been unable to escape from the influence of the historians Sallust, Pollio, and Tacitus, all of them Republican in sentiment. Hence a deliberately critical attitude towards Augustus.²⁸

Syme invites us to realize that his "critical attitude towards Augustus" derives from his sources and is thus somehow beyond his control; this focuses the reader's attention on the ambiguity of that criticism,²⁹ and raises the

Caesar set the tune from the beginning, in the knowledge that monarchy was the panacea for the world's ills, and with the design to achieve it by armed force [the accompanying note cites Mommsen]. Such a view is too simple to be historical."

27 A. B. Bosworth, "Asinius Pollio and Augustus," *Historia* 21 (1972), 441–473 is invaluable; cf. Millar, "Style Matters," 146: "It hardly matters that, as A. B. Bosworth so admirably showed in *Historia* 1972, the real Asinius Pollio will not serve for the role of opposition historian for which Syme cast him." On the contrary, I will show that it matters a great deal, particularly for Cicero's reception.

28 Syme, *Roman Revolution*, vii, likewise the source of the book's first sentence quoted above. Note the obvious: it is Cicero, not Sallust, Pollio, or Tacitus who is our principal source for "the central epoch in the history of Rome" and more than any of these three, it is Cicero who deserves to be called "Republican." For Sallust as a Caesarian, see *De Bello Africo* 8, 34, and 97; cf. Ronald Syme, *Sallust* (Berkeley, Los Angeles, and London: University of California Press, 1964), 2, 29, and 36–37 and Mommsen, *History of Rome*, 226n, especially: "The circumstance that the adroit author keeps the apologetic and inculpatory character of these writings in the background, proves, not that they are not partisan treatises, but that they are good ones." Although Mommsen is describing Sallust ("a notorious Caesarian"), this description perhaps admits of a wider application.

29 Syme, *Roman Revolution*, 6–7 (emphases mine): "The great work of Pollio has perished, save for inconsiderable fragments . . . None the less, the example of Pollio . . . may encourage the attempt to record the story of the Roman Revolution [this is what Elias Altman has called "the endonymous moment," i.e., the first time a book's title appears in the

possibility that despite it, we need not consider Syme any more “republican” than either Sallust or Pollio were.³⁰ Apparently powerless, Syme yet retains sufficient independence of judgment to transform Caesarians into republicans. And since he will eventually write monographs entitled *Sallust* and *Tacitus*, Syme’s *Roman Revolution* is perhaps best understood as having been written under the aegis of Asinius Pollio:

If Caesar and Antonius by contrast are treated rather leniently, the reason may be discovered in the character and opinions of the historian Pollio—a Republican, but a partisan of Caesar and Antonius. This also explains what is said about Cicero and Livy.³¹

text] and its sequel, the Principate of Augustus, in a fashion that has now become conventional, from the Republican [cf. 166] and Antonian side [cf. 189, 264, and 479]. The adulatory or the uncritical may discover in this design a depreciation of Augustus: his ability and greatness will all the more sharply be revealed by unfriendly presentation.” For an attack on Syme in defense of Augustus, see Hans Erich Stier, “Augustusfriede und römische Klassik,” *Aufstieg und Niedergang der römischen Welt* 2/2 (1975), 3–54. For Syme’s deliberate ambiguity, see R. S. O. Tomlin, “Preface and Introduction” to Miriam Griffin et al. (eds.), *History and Fiction: Six Essays celebrating the Centenary of Sir Ronald Syme (1903–89)* (London: Grime & Selwood, 2005), 6–11 on 9: “But to Syme’s unique style, in writing and in conversation, may be applied the Tacitean judgment that he ‘weighed well his words, they were full of meaning or deliberately ambiguous [*validus sensibus aut consulto ambiguus*].’” The reference is to Tiberius (*Ann.* 13.3).

30 As an example of Syme’s own “republicanism,” see *Roman Revolution*, 513: “The *nobiles*, by their ambition and their feuds, had not merely destroyed their spurious Republic: they had ruined the Roman People [cf. Syme’s last word at 524]. There is something more important than political liberty; and political rights are a means, not an end in themselves. That end is security of life and property: it could not be guaranteed by the constitution of Republican Rome. Worn and broken by civil war and disorder, the Roman People was ready to surrender the ruinous privilege of freedom and submit to strict government as in the beginning of time.” This passage was cited and criticized by Arnaldo Momigliani, “Review of Ronald Syme, *The Roman Revolution*,” *Journal of Roman Studies* 30 (1940), 75–80 on 80.

31 Syme, *Roman Revolution*, vii; note the mention of “character” and the ambiguous “may.” Cf. 5–6 (emphasis mine): “Loyal to Caesar, and proud of his loyalty, Pollio at the same time professed his attachment to free institutions, an assertion which his ferocious and proverbial independence of speech and habit renders *entirely* credible.” The attached note (6 n. 1) cites three letters by Pollio in *Ad Fam.* 10.31–33 (“valuable documents . . . especially the first”) cited repeatedly by Syme (92 n. 1, 121 n. 1, 174 n. 3, and 180n. 2). Readers of these letters who question Pollio’s sincerity—and many have done so—are at a distinct advantage in assessing Syme’s. In addition to Bosworth, “Asinius Pollio and Augustus,” 452–462 (ending with: “Pollio’s utterances of support for *pax* and *libertas* were

Having now explicitly described “a partisan of Caesar and Antonius” as “republican,” we can be sure, even before encountering “what is said about Cicero,” that it will be critical.

If the sincerity of Pollio’s strictly temporary republicanism as expressed in three letters written to Cicero in 43 B.C. is open to serious question, the sincerity of his enduring hatred for the man to whom he had sent those letters is not. And it is this hatred, not Pollio’s ferocious and allegedly republican independence of mind, that best explains Syme’s otherwise bizarre insistence that those “inconsiderable fragments” had exerted a determining influence on his masterpiece. In the essay “The Caricature of Cicero in Antiquity” that Zielinski added to the second edition (1908) of *Cicero im Wandel der Jahrhunderte*, Pollio plays the central role: Zielinski demonstrates that the lion’s share of the so-called “Cicerokarikatur” originates with none other than Asinius Pollio.³²

deliberately evasive, so as to neither commit himself to positive action nor to accusations of treason”), cf. J. André, “Les relations politiques et personnelles de Cicéron et Asinius Pollion” *Revue des études latines* 24 (1946), 151–169, Jérôme Carcopino, *Cicero: The Secrets of His Correspondence* (New Haven: Yale University Press, 1951), 51–14 (“Cicero let himself be deceived by the speciousness of Pollio”), Matthias Gelzer, “Die drei Briefe des C. Asinius Pollio,” *Chiron* 2 (1972), 297–312, Giuseppe Zecchini, “Asinio Pollione: Dall’attività politica alla riflessione storiografica,” *Aufstieg und Niedergang der römischen Welt* 2. 30/2 (1982), 1265–1296 on 1272, and Jon Hall, *Politeness and Politics in Cicero’s Letters* (Oxford: Oxford University Press, 2009), 82–83. For Syme on Livy, cf. his “Livy and Augustus,” *Harvard Studies in Classical Philology* 64 (1959), 27–87 (especially 53–4) with *Roman Revolution*, 485–86.

- 32 Zielinski, *Cicero im Wandel*, 280–88, see also 10–15. Syme is well aware of the use of *Quellenforschung* (“source-criticism”) to expand the limits to which the meager fragments of Pollio’s writings threaten to confine his admirers; in *Roman Revolution*, 6 n. 4, he reveals his dependence on Ernst Kornemann, *Die historische Schriftstellerei des C. Asinius Pollio; zugleich ein Beitrag zur Quellenforschung über Appian und Plutarch* (Leipzig: Teubner, 1896), reviewed by W. Warde Fowler in *English Historical Review* 11 (1896), 754–758 who comments on 756: “Perhaps the most interesting part of Dr. Kornemann’s work is that in which he attempts to sketch the character of Pollio . . . It must be confessed that it is drawn in colors somewhat too glowing . . . He who said unpleasant things about Caesar, Cicero, Sallust, and Livy, in a petty spirit of carping criticism, has not survived to share their fame . . . Such a man was not likely to do much good as a statesman in that troublous age; no true egotist can greatly influence the world in troublous times.” For more insight on Kornemann, see Jürgen v. Ungarn-Sternberg, “Imperium Romanum vs. Europa; Gedanken zu einigen Vorträgen deutscher Althistoriker in den Jahren 1939 bis 1942” in Beat Näf (ed.), *Antike und Altertumswissenschaft in der Zeit von Faschismus und Nationalsozialismus*, 395–418 (Mandelbachtal and Cambridge: Edition Cicero, 2001), 403–4.

Starting from Seneca's *Suasoriae*,³³ Zielinski traces Pollio's influence on a considerable number of Cicero's critics; the farcical speech Cassius Dio placed in the mouth of Calenus offers a convenient example.³⁴ In *The Roman Revolution*, Q. Fufius Calenus, who has left behind no other evidence of his oratory, is by turns "eloquent," "an able politician," and "a clever politician and an orator of some spirit"; in summarizing "his" only surviving speech, so is Syme: "Calenus spoke for Antonius, Cicero for war."³⁵ Of the period that produced the *Philippics*, Syme, echoing his principal sources, writes: "Cicero returning brought not peace but aggravation of discord and impulsion to the most irrational of all civil wars."³⁶

33 See in particular *Suasoriae* 6.14–17 and 6.24–27. Cf. William A. Edward (ed.), *Seneca the Elder*, *Suasoriae* (London: Duckworth, 1928), 140 (on 6.23): "Pollio was an orator and a jealous one (see the story at the end of this *suasoria* [Syme recounts it; see *Roman Revolution*, 483, noting context]), and a supporter of Caesar. In style he was Atticist and probably was irritated by the great favor in which Cicero was held ['Pollio's son Asinius Gallus wrote several books comparing his father to Cicero and giving the palm to the former (Pliny *Ep.* 7.4)']. There were therefore both literary and political reasons for this feud between the Pollio family and Cicero."

34 On Dio Cassius 46.1–28 see Zielinski, *Cicero im Wandel*, 287–8; note the farcical claim of "Calenus" that Cicero was "acquainted with no liberal branch of knowledge" (46.6.2; translation by Earnest Cary).

35 See Syme, *Roman Revolution*, 66, 134 (follow 134 n. 1 to *Philippics* 8.19 for Syme's sense of what makes someone "an able politician"), 165, and 167. The note (167 n. 1) attached to this last statement is also revealing: "*Phil.* 5 [this justifies his claim that Cicero called for the Senate to declare Antonius an enemy of the state in *Philippic* 5]. Something at least of Calenus' speech can be recovered from Dio (46.1.1 ff.)." As indicated by these cautious words—it is "the fictional speech of Calenus" at Zielinski, *Cicero im Wandel*, 281—Syme is well aware that this is an eccentric claim; can "something at least" of the speech of Philiscus be recovered from Dio 38.18–29? In fact, Cassius Dio is a remarkably subtle writer and he is considerably more of a Ciceronian than his ostentatious displays of monarchism suggest to those whom Syme aptly calls "the adulatory or the uncritical."

36 Syme, *Roman Revolution*, 139; the words "most irrational" prove all the more Hegelian because Asinius Pollio was with Caesar at the Rubicon and is our source for what he said before beginning that earlier—and presumably more rational—civil war; see Llewelyn Morgan, "The Autopsy of C. Asinius Pollio," *Journal of Roman Studies* 90 (2000), 51–69. For another trace of the third triumvirate, consider Syme's note (139 n. 3) to this remarkable statement: "As Mommsen called it. *Ges. Schr.* IV, 173. Cf. Dio 46.34." Finally, cf. Zielinski, *Cicero im Wandel*, 11: "The *Philippics* did not remain unanswered, although the answer appears to have been rather harmless; more fateful was the unfriendly disposition of Antonius Pollio, the clever and influential Antonian, who, according to the testimony of Seneca the Elder, was the only one of his younger contemporaries who remained resolutely hostile to the dead orator's summons. His house was the center of rumors

Like Pollio, Syme considered himself a remarkably eloquent man, and in the chapter entitled "The Senior Statesman," he would have made his mentor proud, hammering home Cicero's lack of "constancy" and susceptibility to "delusion."³⁷ Choice expressions abound: "Cicero was possessed by an overweening opinion of his own sagacity," he was "incompetent to emulate the contrasted virtues of Caesar and Cato," he is the Republic's "fanatical and dangerous champion," the *Philippics* are products of "the guilty knowledge of his own inadequacy," while an equally psychological explanation is found for the Platonic idealism of Cicero's *Republic*:

Once he had written about the ideal statesman. Political failure, driving him back on himself, had then sought and created consolations in literature and in theory: the ideal derived its shape from his own disappointments.³⁸

Of course Syme does not confine his attack on Cicero to a single chapter: particularly noteworthy are his subsequent accounts of his death and "resurrection" as an apologist for Augustus; both contain echoes of Pollio.³⁹ But

detrimental to Cicero [*cicerofeindliche Gerüchte*] and here it was the caricature first emerged that for the next two hundred years eked out a secret existence until, under the emperor Alexander Severus, it found a warm reception in a capacious garden of world history [sc. the *Roman History* of Dio Cassius] and was thus transmitted to us." As previously indicated, Zielinski is well aware that although created in antiquity, the *Cicerokarikatur* continued to flourish in his time (206–8).

37 See in Syme, *Roman Revolution*, 135–48; for lack of "constancy," see 122, 146, and 147, for "delusion" (or "deluded"), see 122, 142, and 143 (cf. 182).

38 Syme, *Roman Revolution*, 144; the previous four quotations are to be found respectively on 143, 146, 147, and 144. Syme's genealogy of idealism is telling. But it is not Cicero's idealization of the Roman Republic that is Platonic; it is his decision, as a philosopher (Plutarch *Cicero* 32.5), to return (cf. *Cicero Republic* 6.17) and die (*Plato Republic* 517a5–6), in accordance with Plato's address to his "ideal statesman" (*Plato Republic* 520b5–d5) in *faece Romuli* (*Att.* 2.1.8); he didn't turn to philosophy because he was defeated in politics, he dared to face political defeat because he had been inspired to do so in youth (*Pro Archia* 14), principally by Plato (*Orator* 12).

39 On the death of Cicero, see *Roman Revolution* 192 (for "indecision," cf. 122), especially 192 n. 1: "The best obituary notice was Pollio's (quoted by Seneca, *Suasoriae* 6.24)". More remarkable is Syme's account of how Cicero would have welcomed "the New State" of Augustus (had he not been put to death by him?) on 320–21: "But Cicero might have changed, pliable to a changed order... Cicero would easily have proved to himself and to others that the new order was the best state of all, more truly Republican than any Republic, for it derived from *consensus Italiae* and *concordia ordinum*; it commended

perhaps the most telling passage linking Cicero to Augustus precedes “The Senior Statesman”; it not only introduces that chapter’s emphasis on Cicero’s capacity for “delusion” and lack of “constancy,” but also sheds light on the nature of Syme’s ambiguous critique of Octavian:

Another eminent Roman could furnish a text in the school of politics. The failure of Cicero as a statesman showed the need for courage and constancy in all the paths of duplicity. A change of front in politics is not disastrous unless caused by delusion or indecision. The treacheries of Octavianus were conscious and consistent.⁴⁰

In order to read this passage as an attack on Augustus, one must adopt a moral standpoint; no such “sin”⁴¹ is required for recognizing that it is an attack on Cicero.

But if Syme’s Cicero remains a recognizable avatar of his great predecessor’s two-faced *Achselträger*, his Caesar is very different from Mommsen’s, particularly the young Caesar. Mommsen presented Caesar as a far-sighted man of

itself to all good citizens, for it asserted the sacred rights of property; it was Roman and Republican, for power rested upon the laws, with every class in the Commonwealth keeping to traditional functions and respecting legitimate authority.” This slanderous fantasy derives from Pollio; cf. Seneca *Suasoriae* 14 (translation Edward): “Thus he [sc. Pollio] gave the rhetoricians a subject for a second *suasoria*: ‘Cicero deliberates whether he should burn his speeches [at 6.15 Pollio’s Cicero ‘promised to write many times that number with far more care, in direct contradiction of them, and even to deliver them in public’], since Antony promises him life on these terms.’ Anyone can see [Seneca is still speaking] that this is a stupid fiction [*haec inepte ficta*]. Pollio means it to be taken for truth.” Syme seems to be doing something not altogether different.

40 Syme, *Roman Revolution*, 122. Note the improvements on Mommsen’s *Achselträger*.

41 Although already cited above, it is worth quoting in full Syme’s discussion (*Roman Revolution*, 485–86) of what Pollio meant—it was not “the obvious and trivial comment that his speech showed traces of his native dialect”—when he criticized Livy for *Patavinitas*: “The original sin of Livy is darker and more detestable. The word ‘*Patavinitas*’ sums up, elegantly and finally, the whole moral and romantic view of history [the attached note reads: ‘The Transatlantic term ‘uplift’ might give a hint of the meaning.’]. Pollio knew what history was. It was not like Livy.” This passage must be juxtaposed with *Roman Revolution* 7: readers in search of an *uplifting* narrative, (presumably more common on this side of the Atlantic in 1939) are those who still embrace “the whole moral and romantic view of history”; they are likewise “the adulatory or the uncritical” who will “discover in [Syme’s] design a depreciation of Augustus,” while those who do not do so, will recognize “his ability and greatness.” It does, after all, require a considerable quantum of whatever is the opposite of “uplift” to suggest that morality is sinful.

inborn genius who had revolutionary ambitions from the start; he did not avoid evidence of Caesar's early machinations against the *nobiles* and what Syme called "their spurious republic."⁴² Syme, by contrast, introduces his Caesar as merely a very gifted young nobleman with considerably less lofty goals:

C. Julius Caesar, of a patrician house newly arisen from long decay, largely by the help of C. Marius, strained every nerve and effort through long years of political intrigue to maintain the *dignitas* of the Julii and secure the consulate in his turn [note].⁴³

Before quoting the important note attached to this sentence, two dissenting comments are in order: one from Cicero, the other by Abraham Lincoln. As a young man of political genius himself, Lincoln famously asked and answered a relevant question at the age of twenty-nine:

Many great and good men sufficiently qualified for any task they should undertake, may ever be found, whose ambition would aspire to nothing beyond a seat in Congress, a gubernatorial or a presidential chair; *but such belong not to the family of the lion, or the tribe of the eagle*. What! think you these places would satisfy an Alexander, a Caesar, or a Napoleon?—Never! Towering genius disdains a beaten path.⁴⁴

As for Cicero, Plutarch tells us that he was the first to think about the young Caesar in Lincoln's terms, very differently from both his contemporaries and from Syme:

At all events, the man who is thought to have been the first to see beneath the surface of Caesar's public policy and to fear it, as one might fear the smiling surface of the sea, and who comprehended the powerful character hidden beneath his kindly and cheerful exterior, namely Cicero, said that in most of Caesar's political plans and projects he saw a tyrannical purpose.⁴⁵

42 Syme, *Roman Revolution*, 513.

43 Syme, *Roman Revolution*, 25.

44 Abraham Lincoln, "The Perpetuation of Our Political Institutions: Address Before the Young Man's Lyceum of Springfield, Illinois, January 27, 1838 in Abraham Lincoln, *Great Speeches* (New York: Dover, 1991), 7 (emphasis in original).

45 Plutarch *Caesar* 4.4 (translation Bernadotte Perrin).

Despite Mommsen's antipathy to Cicero, he would not have denied that "Caesar's political plans and projects" were a threat to the senatorial oligarchy for which his Cicero feared; he would not have denied, that is, that Cicero had *cause* to fear a man who belonged to "the family of the lion, or the tribe of the eagle." But thanks to the twenty-nine year-old founder of the fourth triumvirate, introduced to Anglophone scholarship in Syme's 1939 note to the sentence quoted above, a new Caesar had emerged:

Biographical detail and scandal, influenced by the subsequent actions of the proconsul and Dictator, has produced a conventional, anachronistic, and highly distorted picture of the early career of this Roman *nobilis*; cf. the novel but convincing arguments of H. Strasburger, *Caesars Eintritt in die Geschichte* (1938).⁴⁶

Amazingly enough, these words would prove fateful for Cicero's post-war reception. Contrary to Weil's hopes, the defeat of the Third Reich would not lead to a "return to Cicero," least of all on the other side of the Atlantic, where, as a Jewish refugee from Nazi Germany, he wrote his *2000 Jahre Cicero*, published posthumously in Switzerland in 1962.⁴⁷ Like Zielinski's pioneering study, Weil's book has not yet been translated into English; Hermann Strasburger's *Caesar's Entrance into History* has not been translated into English either.⁴⁸ Nevertheless, through Syme and others, this slim German monograph, published in Nazi Germany, has exerted a far greater impact on Cicero's Anglophone reception than the merely "uplifting" works of Zielinski and Weil.⁴⁹ Syme's early recognition and embrace of Strasburger is certainly the most important factor here. The two men were friends, and Syme spent a week visiting Strasburger in Munich during August 1939 in the heady days

46 Syme, *Roman Revolution*, 25 n. 2.

47 Weil's papers are housed at the Leo Baeck Institute; for their contents, see http://archive.org/details/brun_oweil_17_reel17 (accessed April 26, 2013).

48 Herman Strasburger, *Caesars Eintritt in die Geschichte*, originally published in Munich, 1938 (Darmstadt: Wissenschaftliche Buchgesellschaft, 1966). For a contemporary counterpoint, see Justinus Klass, *Cicero und Caesar: Ein Beitrag zur Aufhellung ihrer gegenseitigen Beziehungen* (Berlin: Emil Eberling, 1939), 4: "Strasburger's results are different from those in the present work. The reason for this, in my opinion, is that Strasburger has investigated Cicero's remarks in complete isolation from day-today political events whereas it is only in connection with these that they are comprehensible."

49 Cf. Strauss, *Natural Right*, 2: "It would not be the first time that a nation, defeated on the battlefield and, as it were, annihilated as a political being, has deprived its conquerors of the most sublime fruit of victory by imposing on them the yoke of its thought."

before the second war began; he also offered the scholar he admired a wartime refuge in Oxford.⁵⁰ It was natural to think he needed one: Strasburger's Jewish grandparent—his father's mother—not only made him ineligible for an academic career in Germany (his father, a “half-Jewish” professor of medicine, was fired in 1934 and died shortly thereafter) but also presumably subjected him to a certain amount of personal risk. Strasburger nevertheless chose to remain in his native land, broke off work on a biography of Caesar to serve in the Wehrmacht, saw action in France in 1940, was badly wounded on the Russian Front in 1943, was released from hospital (and an American prisoner-of-war camp) in 1945, and finally habilitated in 1946.⁵¹

A memorial volume for Strasburger bears the apt title: “Beginning Again and Sobering Up in the Post-War Years” and this versatile scholar certainly made a considerable effort to distance himself from the “youthful hero worship” that characterized his early work on Alexander the Great and Caesar,⁵² emerging after the war as the latter's enemy. It is true enough that his *Doktorvater*, the eminent, reliable, and generally sober Swiss historian Matthias Gelzer, had

50 See Walter Schmitthenner, “Biographische Vorbemerkung” in Hermann Strasburger, *Studien zur Alten Geschichte*, edited by Walter Schmitthenner and Renate Zoepffel, volume 1, xvii–xxxiv (Hildesheim-New York: Georg Olms, 1982), at xxxiii.

51 Most of this information comes from a 1947 C.V. published in Frank Bernstein and Hartmut Leppin (eds.), *Wiederanfang und Ernüchterung in der Nachkriegszeit: Dem Althistoriker Hermann Strasburger in memoriam* (Göttingen: Wallstein, 2013), 48–49. For his grandmother and his father's fate, see Schmitthenner, “Biographische Vorbemerkung,” xviii and xxv–xxvi.

52 For his *jugendliche Heldenverehrung*, see “Nachbericht des Autors” in Strasburger, *Studien* 1, 519–524 on 521 (note to *Ptolemaios und Alexander*; 1934); in this passage he explains both that his initial attraction to ancient history arose from admiration for Alexander the Great and that the admiration that marks this early work shows “traces of intellectual immaturity” that have subsequently (in 1952; see 524) undergone “correction.” Cf. Reinhold Bichler, “Alexander der Große und das NS-Geschichtsbild,” in Näf, *Antike und Altertumswissenschaft*, 345–378 on 356 n. 26. In the context of the passage from Lincoln's speech quoted above, it is interesting that Strasburger describes his youthful admiration for Caesar, Alexander, and Napoleon in his note (also 521) to *Caesars Eintritt*. But the most revealing passage in this “Nachbericht” is on 523, where he maintains that his projected biography of Caesar would have been “less gentle [*schonend*] but probably not substantially more critical than the last chapter of *Caesars Eintritt in die Geschichte*, whose immature judgment scarcely disturbs me less than the last chapter of *Ptolemaios und Alexander*. I state this with care not to expiate my youthful sins [*Jugendsünden zu entschuldigen*] but because I suspect that not a few of my colleagues might begin more with my early hero-portraits [*meinen frühen Heldenporträts*] than with my later works, even though these are customarily regarded as primarily important in principle.”

delivered a compromising lecture in 1941 extolling Caesar's achievements as a statesman; Strasburger can scarcely be blamed for taking the opportunity to make a reputation by challenging that adulatory and, one hopes, recently discredited assessment in 1953.⁵³ He had been considerably more pliable in 1931 when he wrote a by no means entirely hostile dissertation for Gelzer on Cicero, and he returned to this subject in his last work, published posthumously: *Cicero's late philosophical Writings as a Call [to Arms] against the Domination of Caesar*.⁵⁴ Strasburger's own student Christian Meier notes this circularity in a 2009 memorial for his teacher and characteristically raises more questions than he answers about the actual continuity between the man he knew and the compromising activities of an ambitious *Vierteljuden* or *Mischling zweiten Grades* in the Nazi era.⁵⁵ A scholar who combines a passion for philology, intellectual history, and psychobiography will find a fascinating theme not only

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- 53 Hermann Strasburger, "Cäsar in Urteil der Zeitgenossen," *Historische Zeitschrift* 175 (1953), 225–264; see also "Nachwort" to *Caesar im Urteil seiner Zeitgenossen*, second, revised and expanded edition, supplemented by an afterword (Darmstadt: Wissenschaftliche Buchgesellschaft, 1968), 67–81. See also Matthias Gelzer, "Caesars weltgeschichtliche Leistung," *Vorträge und Schriften der Preussische Akademie der Wissenschaft* 6 (1941), 1–34; cf. Ungarn-Sternberg, "Imperium Romanum" and the works of Karl Christ, especially *Römische Geschichte und deutsche Geschichtswissenschaft* (München: C. H. Beck, 1982) and "Reichsgedanke und Imperium Romanum in der nationalsozialistischen Ära" in Christ (ed.), *Von Caesar zu Konstantin: Beiträge zur römischen Geschichte und ihrer Rezeption*, 255–274 (München: C. H. Beck, 1996).
- 54 Hermann Strasburger, *Ciceros philosophische Spätwerk als Aufruf gegen die Herrschaft Caesars*, edited by Gisela Strasburger (Hildesheim, Zürich, and New York: Georg Olms, 1990) and "Concordia Ordinum: Eine Untersuchung zur Politik Ciceros" (dissertation, Frankfurt am Main, 1931) in Strasburger, *Studien* 1, 1–82, see in particular 20 (a clear statement of his thesis) and 50–61. Although this second passage covers a later period than *Caesars Eintritt*, the tenor of his remarks on Caesar is only occasionally apologetic, for example on 54. For an assessment of Gelzer's influence on this production, see Hartmut Leppin, "Hermann Strasburger und die Frankfurter Universität: Gedenkrede" in Bernstein and Leppin, *Wiederanfang und Ernüchterung*, 9–18 on 13.
- 55 Christian Meier, "Gedenkrede auf Hermann Strasburger," in Bernstein and Leppin, *Wiederanfang und Ernüchterung*, 24–44. For the "circle," see 43. For Meier's unanswered questions, see especially 40–43. For Meier's characteristic, see Frank Bernstein, "Zu Christian Meier," once again in *Wiederanfang und Ernüchterung*, 19–23 on 21. For "quarter-Jew" and "mixed race in the second degree," see Bernstein and Leppin, "Vorwort," 7. For the compromising activities, see the following note.

in the scope and sincerity of Strasburger's post-war "palinode" but also in the actions that demanded and perhaps occasioned one.⁵⁶

Apart from his comment about its last chapter, Strasburger's palinode offered very little self-correction where *Caesars Eintritt* is concerned;⁵⁷ what there was, preserved intact a foundation on which others would build. The thesis of Strasburger's book is that an unreliable tradition had, with the doubly dubious benefit of hostile hindsight, ascribed actions and attributed

56 The principal "palinode" texts, repeatedly cited in Meier, "Gedenkrede" (26, 28–32, 34–35, 38, 40, and 43) are Strasburger's "Nachbericht des Autors" and "Nachwort" to *Caesar im Urteil seiner Zeitgenossen*; also important are his "Antrittsrede" (1964) in *Studien* 2, 959–962 (especially 961 on following fate and its logic), and *Ciceros Spätwerk* (see following note). On the need for a palinode, the best evidence (cf. Meier, "Gedenkrede," 40–41, particularly on Helmut Berve, on whom see Christ, *Römische Geschichte*, 244–46, Ungarn-Sternberg, "Imperium Romanum," 404–8, and Bichler, "Alexander der Große," 357–61) is Schmitthenner, "Biographische Vorbemerkung," the bare bones of an amazing story. Some indications: the protracted and ultimately unsuccessful attempt (1934–35), in the aftermath of his father's dismissal and death, to prove that his grandmother's mother wasn't Jewish (xxvii–viii), the repeated decisions to volunteer for service in regime-approved activities, including military service in 1936 and 1937 (xxvi–vii and xxxiii), his 1939 plaint that he was barred from an academic career "through a touch, albeit an insignificant one, of Jewish blood" (xxxii), his failed attempt to join the Afrikakorps (xxxiv), his (gung-ho?) service on the Russian Front and promotion to *Obergefreiter* (xxxiv), and above all, the first act that determined the logic of the whole drama: "the private file-card collection with which he denounced 'partial Jews' in the university" in 1934 (xxvii). As he wrote several times in official documents after the war (see *Wiederanfang und Ernüchterung*, 49 and 51): "I made every attempt to return to [academic] activity in the Third Reich."

57 There are no specifics in the note on *Caesars Eintritt* in "Nachbericht des Autors" (521–22) but on 522 he does refer to his interrupted and never completed biography of Caesar as his *Lebensaufgabe*, admits that in 1938 "he still had no sense of his later opposition [*Parteinahme*] to Caesar," and he finds the anticipation of "my later skepticism about Caesar's originality as a statesman [*Caesars staatsmännischer Sonderrolle*]" in the formula "only allow the confirmed [*Belegbares*] to count." *Caesars Eintritt* is never mentioned in "Cäsar im Urteil" (1953); notes mentioning it were added to the revised version (*Caesar im Urteil*, 14 n. 14, 17 n. 19, and 20 n. 26, the last of which, attached to the suggestion that before 59 B.C., Caesar is better understood as the "tool" or *Werkzeug* of Pompey and Crassus, certainly modifies *Caesars Eintritt*, 51). But in *Ciceros Spätwerk*, he retracts (67 n. 12) his earlier suggestion that Cicero's enmity to Caesar was strictly *post mortem* (*Caesar's Eintritt*, 59: "the years-long pent-up resentment of the weaker"), he modifies (67 n. 16) both *Caesars Eintritt* 59 and 121 (but not 24–5!), specifically with respect to *de consiliis suis*, no longer denying that Cicero's enmity to Caesar (theme of *Ciceros Spätwerk*) was longstanding, and on 19 (cf. 71 n. 123), he calls his earlier assessment of Cicero's warm feelings toward Caesar (*Caesars Eintritt*, 57–9) "too naïve."

motives to Caesar that were consistent with what he did only after crossing the Rubicon, a process that Erich S. Gruen would later call “retrojection.”⁵⁸ As a result, Strasburger argued that very little of what the young Caesar was said to have done, let alone said to have dreamed of doing, was “historical.” Although it was only in the book’s last paragraph that its author hinted that Caesar’s “entrance into history” occurred when he went to Gaul—only, that is, when he began *writing* it—Strasburger’s *terminus a quo* was certainly no earlier than 60 B.C.,⁵⁹ a fateful date for the reception of Cicero. It is of utmost importance to explain why this should be so, and the place to begin is “the year Cicero and Antonius were consuls” (63 B.C.). According to Strasburger, Cicero’s election and subsequent suppression of the Catilinarians was no defeat for Caesar, neither was the escape of Rabirius or the defeat of the Rullan agrarian law; only Caesar’s prudent policy toward the conspirators and his election as *pontifex maximus* stood the historical test.⁶⁰ As for the year that Caesar was aedile and Crassus censor (65 B.C.), there had been no cooperation between the two, no “first Catilinarian Conspiracy” for them to bungle, and certainly no attempt to

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- 58 For “retrojection,” see Erich S. Gruen, “Some Criminal Trials of the Late Republic: Political and Prosopographical Problems,” *Athenaeum* 49 (1971), 54–69 on 67. Given that neutralizing a number of texts in Suetonius *Divus Julius* 9–13 is of particular importance to the fourth triumvirate, it is significant that Strasburger’s sharpest barbs are reserved for Suetonius (*Caesars Eintritt*, 120) and Suetonius’s sources, especially Tanusius Geminus (26–7 and 108). In the context of Meier, “Gedenkrede,” 40–41 and Schmitthener, “Biographische Vorbemerkung,” xxxii, the calm rationality of the article on Tanusius (“a well-informed contemporary and political opponent of Caesar” whose father had been killed by Catiline) in *Realencyclopädie* 4/2 (1932), 2231–3 by Friedrich Münzer (d. 1942, Theresienstadt) is peculiarly touching. Incidentally, the fact that Suetonius bothered to name three sources for “the first Catilinarian conspiracy” shows that he was already countering claims that it was apocryphal; Strasburger must invalidate all three (37, 59, and 107–8).
- 59 The best textual evidence is for 59; see *Caesars Eintritt*, 4. For 60, see Otto Seel, “Review of *Caesars Eintritt in die Geschichte*,” *Gnomon* 16 (1940), 287. An able summary is the first sentence of Lily Ross Taylor, “Review of *Caesars Eintritt in die Geschichte*,” *Classical Philology* 36 (1941), 413–414: “The thesis of this book that ancient and modern writers have exaggerated the part which Caesar played on the political stage before the year 59; that he was hardly noticed before his aedileship in 65, advanced into prominence when he was elected *pontifex maximus* in 63, but did not become a power to be reckoned with until the triumvirate was formed; that, in fact, only after his great victories in Gaul did many of his contemporaries recognize his importance.” Her next sentence (on Cicero) should be juxtaposed with the passage from Plutarch quoted above.
- 60 For the relevant passages in *Caesars Eintritt*, see “Participation in the Conspiracy of 63” (120–25), “The Trial of Rabirius” (119–20), and, on the Rullan law, 114–17; for Caesar’s policy in the senate debate and his election as *pontifex maximus*, see 121–23.

annex Egypt and install Caesar as its governor; what remained was the pious magnificence of his funeral games, the restored statues of Marius, and the eloquent oration for his aunt.⁶¹

With the benefit of hindsight, it is easy to see what made Strasburger's Caesar—apart, that is, from the personality mysticism of his book's last chapter—well-adapted for export; Mommsen's far-sighted revolutionary, planning from the start the overthrow of a corrupt republic, had limited appeal among the English-speaking peoples.⁶² Although Mommsen had hated Cicero, his Caesar at least provided the *novus homo* of Arpinum with a worthier opponent than Catiline, Clodius, or Antonius. Moreover, if the victories of 63 B.C. had been gained at the expense of Caesar and Crassus, especially if they were the only ones who knew it, then Cicero would have had very good reason to boast.⁶³ In Mommsen's world, the world-historical perspective created by Hegel had reduced Cicero to a futile fight against a forgone, rational conclusion: he was defeated because he deserved to be. And conversely, despite early setbacks, the third triumvirate's Caesar had history on his side. Only apparently less great than Mommsen's,⁶⁴ Strasburger's Caesar deprived Cicero of a worthy opponent, confining the philosopher-statesman, in effect, to the now familiar

61 For the relevant passages in *Caesars Eintritt* see "The Conspiracy of December 66" (107–9) and "Caesar and Crassus" (109–17), with specific attention to Egypt on 113–14; confirmed by both Plutarch and Suetonius (86–7), the funeral games, the statues of Marius, and the oration require less specific attention, but make a dramatic appearance in the last chapter (136–7). This remarkable passage, redolent of personality mysticism, should be compared with the last sentence of Strasburger, *Ptolemaeos und Alexander in Studien* 1, 147. Too great for *Realpolitik*, too passionate to conspire or even to plan, Strasburger's Caesar inhabited instead "a world of feeling" (137): "In such natures, consciousness and drive are only two forms of a single will" (134).

62 Mommsen, *History of Rome*, 206: "Certainty cannot be attained on the point; but there is a great possibility that Crassus and Caesar had projected a plan to possess themselves of the military dictatorship during the absence of Pompeius; that Egypt was selected as the basis of this democratic military power [*daß Aegypten zur Basis dieser demokratischen Militärmacht ausersehen war*]; and that, in fine, the insurrectionary attempt of 689 [sc. the 'first conspiracy of Catiline' in 65] had been contrived to realize these projects, and Catilina and Piso had thus been tools in the hands of Crassus and Caesar."

63 I suspect that no one enjoyed hearing Cicero boast about the suppression of the Catilinarians less than Crassus and Caesar, and, if this is so, it explains why he did it so frequently.

64 Cf. Strasburger, *Caesars Eintritt*, 140–41: "The ideal unity of what has been reported does not consist in any unifying purpose but rather in the always-equal expression of individuality, liveliness, and power in action. It is Mommsen—despite the fact that his explication of individual reports under the aspect of a unitary life's plan has been disputed here—

role of grandiloquent shadow-boxer.⁶⁵ More importantly, Strasburger offered the west a *defensible* Caesar without resorting to a teleological philosophy of history for which the empiricists and pragmatists of the United States and Great Britain had never had much sympathy. What Strasburger's Anglophone followers failed to realize was, that in the aftermath of Germany's twin defeats on the Marne, this abandonment of teleology was just about as German as it could be, and perfectly expressed the prevailing spirit of 1938.⁶⁶

Born in Vienna in 1935, it was Erich Gruen, perhaps the most influential ancient historian in the English-speaking world,⁶⁷ who brought Strasburger to the United States. It is, for example, the spirit of Strasburger that guided him, in defiance of all the ancient authorities, to present Clodius as

who has expressed these in perhaps the most apt words and images, deriving them from the same fluid medium."

- 65 It is not entirely clear that this description no longer applies to the Cicero of Strasburger's *Cicero's Spätwerk*. In any case, the finest delineation of the difference between the third triumvirate's Caesar and the fourth's is Erich S. Gruen, "Pompey, the Roman Aristocracy, and the Conference of Luca," *Historia* 18 (1969), 71–108 on 71: "Mommsen's magisterial portrait of Caesar—the indispensable man—, despite criticism by some scholars, may still be said to hold the field. But that portrait is infected by faulty perspective. Caesar ought not to be viewed through the structures erected by his successors or the aims ascribed to him by his admirers. It is easy to forget that his contemporaries did not have the benefit of the Augustan system, much less the hindsight of Suetonius or Dio Cassius. The Late Republic is too readily regarded as nothing but a staging ground for Caesar's dictatorship or the sordid prelude to an inevitable new order. Caesar has been confused with Caesarism."
- 66 Strasburger, *Caesars Eintritt*, 141 (last sentence): "It was he who divided a past of merely time-bound actions [*zeitliche Wirkung*] from a present of historical permanence." On the need for, and rise of, a post-historicist historicism in Weimar, see my *The German Stranger: Leo Strauss and National Socialism* (Lanham: Lexington, 2011), 222–24. For the contemporary tendency to render the transcendent immanent by means of an atheistic messianism—cf. Strasburger, *Ptolemaios und Alexander*, 144 where Ptolemy's lost biography of Alexander becomes "the apprehension of the superhuman within mundane reality [*die Erfassung des Übermenschlichen in der Realität*]"—see my "Disturbing Proximity," *Jewish Quarterly Review* 101 (2011), 292–308.
- 67 The collective influence of his numerous students on this side of the ocean is decisive here: a good example is Nathan Rosenstein and Robert Morstein-Marx (eds.), *A Companion to the Roman Republic* (Malden: Blackwell, 2006). Dedicating the book to Gruen, both of its editors received their doctorates under his supervision. Others active in the field include: Francesca Santoro L'Hoir, Jane Crawford, Anthony Corbeill, Alison Futrell, Andrew Feldherr, Carlin Barton, Christopher Hallett, Miriam Pittenger, Richard Billows, Eric Orlin, Sarah Stroup, Judy Gaughan, and Yelena Baraz.

“an independent agent,”⁶⁸ thereby not only continuing a project that kept Crassus and Caesar out of Cicero’s league, but would also extend his shadow-boxing beyond 59. Nourished on the works of Syme as a student at Oxford, Gruen penned a masterpiece offering enough points of contrast with *The Roman Revolution* that the two can be conveniently presented as offering rival visions, but not with respect to Strasburger:

Caesar’s dramatic triumph casts antecedents in the shade. Hence earlier events have become precursors and determinants of that denouement—a dangerous fallacy.⁶⁹

As characteristic as this move has already been shown to be, it is really no more characteristic of the fourth triumvirate than what Gruen writes next:

And perspective can lead us astray in another direction. Information on the late Republic rests heavily on the pronouncements of Cicero. A figure of no small significance, he looms even larger through the survival of his

68 Erich S. Gruen, “P. Clodius: Instrument or Independent Agent?” *Phoenix* 20 (1966), 120–130. Another application of Strasburger-style apologetics is his “*Veteres Hostes, Novi Amici*,” *Phoenix* 24 (1970), 237–243; although Strasburger is not cited here, the critical passage in Syme’s *Sallust*, discussed below, is (237 n. 2) to justify “the notion that Pompey’s absence in the East inspired a series of plots against him at home should now be relegated to oblivion.” Cf. 237 n. 3 and G. V. Sumner, “Cicero, Pompeius, and Rullus,” *Transactions of the American Philological Association* 97 (1966), 569–582 on 574 n. 38, another example of Strasburger’s indirect influence. As an example of Gruen’s indirect influence—to say nothing of his direct influence (ix) on *The Patrician Tribune: Publius Pulcher* (Chapel Hill: University of North Carolina Press, 1999)—see W. Jeffrey Tatum, “The Final Crisis (69–44),” in Rosenstein and Morstein-Marx, *Companion to the Roman Republic*, 190–211, especially 201.

69 Erich S. Gruen, *The Last Generation of the Roman Republic* (Berkeley, Los Angeles, London: University of California Press, 1974), 2; see also Gruen, “Pompey, the Roman Aristocracy, and the Conference of Luca,” 96: “Retrospective clairvoyance is a dangerous and misleading faculty.” Cf. the opening paragraph of Susan Treggiari, “Review of *The Last Generation of the Roman Republic*,” *Phoenix* 30 (1967), 91–94, and Michael H. Crawford, “Hamlet without the Prince,” *Journal of Roman Studies* 66 (1976), 214–217 on 214: “Gruen persistently warns against the dangers of hindsight; this can of course be abused; but it is precisely the possession of hindsight which is one of the distinguishing characteristics of the historian.”

voluminous writings. But Cicero's attitudes grew out of personal—and atypical—experiences.⁷⁰

But the *pièce de résistance* of this remarkable passage succinctly summarizes the reason why the sophisticated Caesarian apologetics of Strasburger, Syme, and Gruen are inextricably linked to the reception of Cicero:

One cannot understand the history of the late Republic as an extension of Cicero's biography or as an evolving blueprint for Caesar's dictatorship.⁷¹

70 Gruen, *Last Generation*, 2. This is a comparatively mild statement; cf. Gruen, "Pompey, the Roman Aristocracy, and the Conference of Luca," 106: "It is difficult to avoid the conclusion that when scholars speak of the weak-kneed submission of the Roman aristocracy to the triumvirate they are really thinking primarily, if not exclusively, of M. Tullius Cicero. Yet it is hazardous and myopic, as noted at the outset of this study [cf. 71, the piece's opening paragraph], to interpret Roman politics through the eyes of Cicero. Too often the orator's wild lamentations on the destruction of the state and the collapse of legitimate authority [cf. 96: 'Had the Republic, as Cicero lamented in a typically hysterical outburst, been overthrown?'] are really camouflage for his own loss of influence on the course of events. The shattering of Cicero's personal illusions, however, should not be translated into the fall of the Republic." Gruen knows how to be politic on the subject, especially when addressing impressionable and patriotic youths; see his "Cicero," *Encyclopedia Americana*, International Edition (1998), volume 6, 710–712, particularly the final "Evaluation" (712): "Much of the criticism is misguided." But within the profession, he is more open; see, for example, "Review of Neal Wood, *Cicero's Social and Political Thought*," *American Historical Review* 95 (1990), 143–144, and "Review of Thomas M. Mitchell, *Cicero, the Senior Statesman*," *American Historical Review* 97 (1992) 173 (last word): "Mitchell's study is competent and level-headed, a respectable addition to the Cicero shelf. May we now declare a moratorium on biographies of that individual?"

71 Gruen, *Last Generation*, 2. Note that the last three quotations in the text form a continuous passage that then continues: "The fall of the Republic [see below] may be applauded or lamented [an echo of Syme's debt to Gibbon]. That is not our purpose here. An effort will be made to understand the Ciceronian era in its own terms [but in a way that repeatedly overrules Cicero's testimony; see previous note], without the categories imposed by retrospective judgment [Strasburger's contribution]." Applauded, lamented, *but denied*? See Robert Morstein-Marx and Nathan Rosenstein, "The Transformation of the Republic," in Rosenstein and Morstein-Marx, *Companion to the Roman Republic*, 625–637 on 625–6: "The 'Fall of the Roman Republic' is the canonical English phrase—but a potentially misleading one... in an objective sense the Republic never actually 'fell'—an overworked metaphor that anyway prejudices the issue in various ways... On the contrary, the *res publica* (usually best translated 'state') to which Cicero devoted himself was transformed incrementally and for the most part imperceptibly into the *res publica* over which

Thanks to the influence of Gruen and his students, there are now very few ancient historians, even in the United States, who would dare to respond with the naïve simplicity of their republic's founding fathers (see chapter 5), even if they wanted to: "Oh yes I can!"

Strasburger enters Gruen's *Last Generation of the Roman Republic* without fanfare. After writing "The coupling of Crassus and Caesar was the work of propagandists of the 50s and later," he attaches a note that reads simply: "see below, n. 117."⁷² First of all, the statement in the text is a good example of Gruen's attempt "to understand the Ciceronian era in its own terms" *in a way that ignores Cicero himself*, in this case, ignoring a passage from the second speech *Contra Rullam* (63 B.C.).⁷³ In any case, the note to which we have been sent is attached to the following:

Numerous tales and anecdotes of doubtful validity permeate the story of Caesar's early years in politics. Some are retrospective anticipations of his later stature; others are the product of anti-Caesarian propaganda of the 50s [n. 117]. The facts are simpler.⁷⁴

Augustus presided as Princeps." Note the echo here of Syme, *Roman Revolution*, 320–21 (quoted above).

72 Gruen, *Last Generation*, 70 and 70 n. 88. This use of "propaganda" is interesting; cf. Lily Ross Taylor, "Caesar's Early Career," *Transactions of the American Philological Association* 73 (1942), 1–24 on 17: "A German [sc. Strasburger], writing in an atmosphere permeated by Nazi propaganda, has seen the true nature of these reports [sc. about 65 B.C.], which have had more influence on the modern view of Caesar than they seemed to have obtained among his contemporaries. Caesar was a skillful and adroit politician, but he had more loyalty and good faith than we have been inclined to believe [the attached note cites Syme, *Roman Revolution*, 70]." By conflating "the propaganda of the fifties that was designed to drive a wedge between Caesar and Pompey" (17) with "Nazi propaganda," Taylor makes more than one revealing mistake here.

73 *Agr.* 2.65 (translation by John Henry Freese): "Entrust then now, O Romans, all these powers to these men whom you suspect of sniffing after the decemvirate; you will find some of them who never think they have enough to keep [*ad habendum*], and others who never think they have enough to squander [*ad consumendum*]." Not surprisingly, Caesar and Crassus are—or at least were before the arrival of the fourth triumvirate—the two persons identified but unnamed here; see E. J. Jonkers, *Social and Economic Commentary on Cicero's De Lege Agraria Orationes Tres* (Leiden: Brill, 1963), 101–2.

74 Gruen, *Last Generation*, 75. The passage preceding this one shows how relevant Strasburger is to the thesis of Gruen's book: "Later authors who looked back upon a Republic that had crumbled and upon Caesar who had triumphed over it naturally detected signs of the determined and destined monarch from the outset of Caesar's career [note]." The

And here, at last, is n. 117:

In the latter category must be placed alleged plots by Caesar and Crassus to murder senators, and Caesar's supposed effort to secure control of Egypt in the mid-60s; Suet. *Iul.* 9, 11. The tradition of Caesar's early career has been subjected to rigorous scrutiny by H. Strasburger, *Caesars Eintritt in die Geschichte* (Munich, 1938), *passim*. His persistent skepticism is, at times, excessive, but a necessary corrective to earlier uncritical acceptance of the tradition. Gelzer, disappointingly, still retails with faith the story of Caesar's Egyptian escapade: *Caesar: Politician and Statesman* (Eng. trans., Cambridge, Mass., 1968), pp. 40–41.⁷⁵

Although Matthias Gelzer is scarcely what I would call a Ciceronian,⁷⁶ his willingness to accept “the story of Caesar's escapade” makes him seem like Cicero's friend in comparison with Strasburger, and the other two members of the fourth triumvirate.

Gruen's remarkable suggestion that only a failure to consider Strasburger's “novel but convincing arguments”⁷⁷ could explain Gelzer's willingness to believe, for example, that Crassus and Caesar had attempted to secure the annexation of Egypt in 65 B.C., originates in Syme's 1944 review of *Caesar der*

attached note quotes Cicero *Philippics* 2.116, testimony Gruen ignores, with respect to its truth; note also the echo of Syme's peremptory style in the last sentence.

75 Gruen, *Last Generation*, 75 n. 117; although this formula is retained in “Caesar as Politician” in Miriam Griffin (ed.), *A Companion to Julius Caesar*, 23–36 (Malden: Wiley-Blackwell, 2009), 35 (cf. 30 and 36), I have not discovered any examples, in *Last Generation* or elsewhere, where Gruen identifies a specific statement of Strasburger's as being excessively skeptical, or indeed rejects any of his claims for any other reason; it would be more accurate to say that he expands the chronological parameters of Strasburger's skepticism beyond 59, and also extends it to Crassus. A perusal of Matthias Gelzer, *Caesar: Politician and Statesman*, translated by Peter Needham (Cambridge: Harvard University Press, 1968), 38–41, especially 38 n. 5, 39 n. 4, and 40 n. 4 will show that Gelzer is not failing to consider but rather rejecting the “pervasive skepticism” of his student.

76 Matthias Gelzer, “Cicero und Caesar,” *Sitzungsberichte der wissenschaftlichen Gesellschaft an der Johann Wolfgang Goethe-Universität Frankfurt/Main* 7 (1968), 5–25 in small compass contains a large number of claims antipathetic to Cicero: whoever prizes Cicero's “spiritual potential” must regret that he lived in a time of crisis that diverted his attention to politics (8), his philosophy can be assimilated with sophistic (13), his defeat was less tragic than tragicomic (14), that Cato, not Cicero, was the first to recognize the threat posed by Caesar (19), and that Cicero should have joined the triumvirate while he had the chance (25).

77 Syme, *Roman Revolution*, 25 n. 2.

Politiker und Staatsman.⁷⁸ Since Syme must have known that Strasburger was Gelzer's student, the way he ends this review is little short of bizarre.⁷⁹ But it is the following passage that will receive detailed consideration in what follows:

Again Crassus wishes to annex Egypt, with Caesar as his agent, but the *optimates* are too strong. The grandiose and impressive agrarian bill of Rullus is brought to nothing by the eloquence of the consul Cicero; and the miserable Rabirius, indicted for the murder of Roman citizens, is not condemned after all to be crucified on a barren tree.⁸⁰

Sarcasm, clearly: Syme is ridiculing "the common and canonical interpretation" in which Crassus and Caesar suffer a long string of failures in the 60s; indeed his "style" will later permit him to make the amazing suggestion that these attempts were not intended to succeed precisely *because* they failed.⁸¹ But rather than focus on the literary technique of its preeminent stylist, I will conclude by briefly considering how the fourth triumvirate as a whole has attempted to obscure three victories critical for Cicero's reception, ridiculed

78 Ronald Syme, "Review of M. Gelzer, *Caesar der Politiker*," *Journal of Roman Studies* 34 (1944), 92–103.

79 "Review of M. Gelzer, *Caesar*," 103: "It will not be necessary further to insist upon the quality of Gelzer's work in general or upon the solid and singular merits of this biography of Julius Caesar: the reviewer regrets only that, being confined in a distant city and lacking books, especially Strasburger's study of the early years, he may not have been able to accord it the treatment it deserves."

80 Syme, "Review of M. Gelzer, *Caesar*," 97. The context is: "In the common and canonical interpretation most of the activities recorded or inferred of both Crassus and Caesar in the years 65–63 are dismal failures. It is alleged that they were seeking to gain control of armies and provinces, or to seize power in Rome, against Pompeius Magnus. All in vain. The 'conspiracy' of 66–5 B.C. collapses because Crassus changes his mind, or Catilina gave the signal too soon, or Caesar not at all . . . or for some other reason. Crassus proposes the enfranchisement of the Transpadani: he is thwarted by Catulus, his colleague in the censorship." The satirical ellipsis is in the original; the quoted sentence follows immediately.

81 Syme, *Sallust*, 99: "On the face of things, a run of disappointments all along the line, ever since the 'first conspiracy.' Curiosity asks [note that it is not 'curiosity' but rather sophisticated form of Caesarian apologetic that 'asks'] whether the authors of some of the projects ever hoped, or intended, those projects to succeed." Syme runs into trouble with "intentions" in "Review of M. Gelzer, *Caesar*": on 99 he writes "Caesar's actions were more revolutionary than his intentions" and on 100: "Nor, when the *acta* of Caesar's dictatorship are quietly scrutinized, do they give any clear idea of his intentions—and who after all could know his intentions?"

here by Syme: the release of Rabirius, the rejection of the Rullan law, and the failure of the first attempt to annex Egypt.

For Mommsen, Caesar's attack on the *senatus consultum ultimum* through the prosecution of Rabirius by Labienus was proof of Caesar's far-sighted democratic project, and Cicero's execution of the Catilinarians on its basis was the high-water mark of the oligarchy's attack on *provocatio*, "palladium of the ancient freedom of the Roman commonwealth."⁸² For the fourth triumvirate, the prosecution would become a joke. Strasburger began the process with some caution: "Caesar probably did not intend, however, a principled assault on the legality of the *senatus consultum ultimum*."⁸³ Next came Syme. Having used considerable subtlety to distance Labienus from Caesar by means of Pompey, he referred to "the comedy of Rabirius" and stated without reservation that the prosecution "was surely designed only as a demonstration."⁸⁴ And finally, there is Gruen's apocolocyntosis: "The spectacle was a farce—and designedly so."⁸⁵ But if Crassus and Caesar had worked to elect Catiline and

82 Mommsen, *History of Rome*, 221: "It was the humorous trait seldom wanting to historical tragedy, that this act [sc. the execution of the Catilinarians] of the most brutal tyranny had to be carried out by the most unstable and timid of all Roman statesmen, and the 'first democratic consul' was selected to destroy the palladium of the ancient freedom of the Roman commonwealth, the right of *provocatio*." On the limitations of Mommsen's conception of *provocatio*, see Christoph Heinrich Brecht, *Perduellio: Eine Studie zu ihrer begrifflichen Abgrenzung im römischen Strafrecht bis zum Ausgang der Republik* (München: C. H. Beck, 1938)

83 Strasburger, *Caesars Eintritt*, 119.

84 Syme, "Review of M. Gelzer, *Caesar*," 97. The "comedy of Rabirius" is from Ronald Syme, "The Allegiance of Labienus," *Journal of Roman Studies* 28 (1938), 113–125, on 118. This remarkable piece uses the very "retrojection" so consistently rejected by Strasburger (see 116 n. 17 and 117 n. 24, n. 25, and n. 26) for Caesar's advantage in order to connect the prosecutor of Rabirius to Pompey; see 115–18. For responses, see Wm. Blake Tyrrell, *A Legal and Historical Commentary to Cicero's Oratio Pro C. Rabirio Perduellionis Reo* (Amsterdam: Adolf M. Hakkert, 1978), 45 (cf. 49 n. 5) and 122–23, and Adolf Primmer, "Die Überredungsstrategie in Ciceros Rede *pro C. Rabirio* [*perduellionis reo*]," *Sitzungsberichte Österreichische Akademie der Wissenschaften*, *Sitzungsberichte* 459 (1985), 1–68, on 30–31.

85 Gruen, *Last Generation*, 278. To the extent that Rabirius's crucifixion was never an end in itself, Gruen's account on 277–79 is perfectly plausible, but only because, thanks to Strasburger, there was no longer any need to respond to any *cui bono* with regard to Caesar's intentions, which, according to Syme, could only be divined when they were harmless, i.e., "a transparent political demonstration" (279). Hence Lily Ross Taylor's remarkable claim in *Party Politics in the Age of Caesar* (Berkeley and Los Angeles: University of California Press, 1961), 123: "Caesar could hardly have realized how important the question was to become as a result of further developments that year."

thus his electoral defeat had been theirs as well,⁸⁶ and if—as we know to be the case with Catiline—insurrectionary thoughts emerged and ripened in the interval between the defeat of the Rullan law in January and the crisis of November, whence comes a scholarly consensus that ignores the possibility that the prosecution's end was to hamstring Cicero by denying him the tool he would need to defeat the conspiracy later that year? Answer: it comes from the fourth triumvirate. In fact, the question is not raised.⁸⁷

The trail that begins with Rabirius leads back to the tangle of “the First Conspiracy of Catiline,” rejection of which has become, thanks to Syme, the shibboleth of a new orthodoxy;⁸⁸ the other two objects of Syme's sarcasm lead to Egypt. Before considering the original annexation attempt of 65 B.C. and the more indirect approach embodied or rather concealed in the legislation of 63, some brief general observations about Egypt, Cicero, and the Fall of the Roman Republic are in order: “I added Egypt to the empire of the Roman People.”⁸⁹ With these words, Augustus announced the final solution of the Egyptian Question, end of a long and winding trail that began thirty-five years before with Crassus and Caesar. It was not a republican solution: Egypt became the personal property of *divus Augustus*, and it was one of the *arcana dominatio-nis* that explained why no significant Roman could enter Egypt without his

86 The destruction of the only remaining evidence—a reference to a lost book in a fragmentary commentary on a lost speech—is the distasteful goal of P.A. Brunt, “Three Passages from Asconius,” *Classical Review* (new series) 7 (1957), 193–195; for Strasburger's influence, see (not surprisingly) 193 n. 1; cf. Erich S. Gruen, “The Trial of C. Antonius,” *Latomus* 32 (1973), 301–310 on 301 n. 2. Elizabeth Rawson, “History, Historiography, and Cicero's *Expositio Consiliorum Suorum*,” *Liverpool Classical Monthly* 7/8 (1982), 121–124, by contrast, is a welcome ray of light.

87 But see the thought-provoking reflections on Robert Harris, *Lustrum* (London: 2009) and an anachronism in Colleen McCullough's *Caesar's Women* (London/New York: 1996)—where the trial of Rabirius follows the conspiracy of Catiline—in Lynn S. Fotheringham, “Twentieth/twenty-first-century Cicero(s)” in Catherine Steel (ed.), *The Cambridge Companion to Cicero*, 350–373 (Cambridge, UK: Cambridge University Press, 2013), 366–70.

88 See Erich S. Gruen, “Notes on the ‘First Catilinarian Conspiracy,’” *Classical Philology* (1969), 20–24; Strasburger makes his entrance in 20 n. 3, Syme's *Sallust*, 88–102 (on which, see below) in 20 n. 4. Particularly emphatic is Sumner, “Cicero, Pompeius, and Rullus,” 574: “This notorious affair now stands exposed as a complete phantasmagoria.” The attached note cites Syme's *Sallust*.

89 *Res Gestae Divi Augusti* 27.1; see P. A. Brunt and J. M. Moore (eds.), *Res Gestae Divi Augusti: The Achievements of the Divine Augustus, with an Introduction and Commentary* (Oxford: Oxford University Press, 1967), 32.

permission.⁹⁰ The annexation attempt of 65 is important because it suggests that Crassus had been the first to learn the secret: the man who controlled Egypt would master Rome.⁹¹ The republican solution to the Question, by contrast, was *not to annex Egypt*, and if Cicero did not learn Crassus's secret even before Caesar did, it was primarily Cicero who blocked their way. An increased awareness of the importance of the Egyptian Question indicates that the fall of the Republic was not inevitable and that Cicero, by blocking annexation, was its far-sighted champion.⁹² There is no reason to accept the Hegelianism of the third triumvirate: it was the pursuit of *dominatio* through Egypt, by Crassus and others, not some dubious form of historical determinism, that first weakened and finally destroyed the Republic. And instead of embracing the fourth triumvirate's post-Hegelian exculpation of Caesar, it is time for an account of the Republic's fall that is worthy of our own republican traditions and future, an account in which Cicero will at last receive his due.

To return to the shadows: Strasburger includes his discussion of the *rogatio agraria* of Rullus near the end of the section of *Caesars Eintritt* called "Caesar

90 We know this because Tacitus describes (*Annals*. 2.59; translation by Moses Hadas) how Germanicus visited Alexandria without the permission of Tiberius "contrary to the regulations of Augustus. That prince, among other secrets of imperial policy [*dominationis arcana*], had forbidden senators and Roman knights of the higher rank to enter Egypt except by permission, and he had specially reserved the country, from a fear that any one who held a province containing the key of the land and of the sea, with ever so small a force against the mightiest army, might distress Italy by famine."

91 Cf. Erich S. Gruen, "M. Licinius Crassus: A Review Article." *American Journal of Ancient History* 2 (1977), 117–128 on 120–21: "No more edifying is the persistent idea that Crassus operated as a confederate of Julius Caesar. That interpretation pervades a good portion of Ward's book [sc. Allen Mason Ward, *Marcus Crassus and the Late Roman Republic* (Columbia & London: University of Missouri Press, 1977), an indispensable study to which the following page references refer]. Caesar acts with Crassus' friends already in 70 (pp. 108–112). The cash of Crassus advances Caesar's career (pp. 125–127). Then in the mid-60s the two men jointly hatch a dozen schemes to harass Pompey and elevate their own positions vis-à-vis the great general: they champion the Transpadani, seek the annexation of Egypt, encourage various consular candidates, sponsor agrarian legislation, collaborate in the courts, and foster Catiline's revolutionary aspirations in order to precipitate a crisis from which they could benefit (pp. 128–192, *passim*). In Ward's narrative, Crassus and Caesar are virtually interchangeable, the actions of the one unhesitatingly used to exemplify the policy of both. The whole reconstruction relies on questionable evidence, a throwback to an older theory long ago undermined by Strasburger."

92 A piece called "The Egyptian Question in Roman Politics (65–30 B.C.)" is presently under review; there I will respond to Andrea Jördens, *Statthalterliche Verwaltung in der römischen Kaiserzeit: Studien zum praefectus Aegypti* (Stuttgart: Steiner, 2009), 36–41.

and Crassus,” and thus a large amount of exculpation has already taken place with *Contra Rullum* 2.65 inconspicuously buried in a footnote.⁹³ Egyptian annexation is not mentioned in the context of 63; an earlier paragraph has already disposed of the Question. So eager is its founder of to exculpate his hero Caesar, however, that he is more than willing to implicate Crassus;⁹⁴ this opens a door that the other two members of the fourth triumvirate must close. Syme’s strategy for doing so has already been indicated: since “Crassus did not forfeit influence in these years, and the star of Caesar rose steadily,” therefore the string of failures reported by the tradition cannot be . . . in truth, this “argument” in “The Credulity of Sallust” must be seen to be believed.⁹⁵ But Gruen’s masterful account in *Last Generation* is another matter: the tribune’s farsighted piece of legislation did not aim at annexing Egypt, it was not intended to weaken Pompey, and neither Caesar nor Crassus stood behind it.⁹⁶ In fact Gruen’s only problem is simultaneously to uphold the notion that Rullus’s bill was farsighted—“despite the rhetoric, however, one can discern a blueprint,

93 Strasburger, *Caesars Eintritt*, 113 n. 58:

94 Strasburger, *Caesars Eintritt*, 113: “Through this consensus [sc. of Plutarch, Cicero, and the Bobbio Scholiast] it is can be asserted without objection that Crassus agitated in Plutarch’s sense [sc. for the annexation] not only in 65, but also belonged among the secret backers [*Hintermännern*] of the Rullus’s *rogatio agraria*.” Cf. W. Drumann, *Geschichte Roms* 3, edited by P. Groebe, second edition originally published 1906 (Hildesheim: Georg Olms, 1964), 141–50.

95 The “digression” on Caesar and Crassus in Syme, *Sallust*, 94–99, already cited several times in these notes, is the crucial text. But the context is that Syme needs it to detach his Sallust from Sallust’s own account of “the first conspiracy of Catiline” (88–102), hence the chapter title, and its summary (101): “Sallust comes out of this sorry affair not at all well.” On a more serious note, Syme had suggested earlier that the bill was “premature”; see “Allegiance of Labienus,” 115.

96 Gruen, *Last Generation*, 389–95, beginning with: “Moderns have seen it as a plot of Crassus and Caesar. The conjecture is hasty and ill-founded.” Egypt is mentioned only in passing at 391: “Of greater significance, Rullus’ bill directed the decemvirs to offer for sale foreign dominions that had fallen into Roman hands since 88. Here was a prospect of lucrative revenue indeed, for the clause encompassed wealthy areas in Asia Minor, Cyprus, and, perhaps, Egypt. Not that one should follow Cicero’s imaginative speculations about decemvirs’ auctioning off whole provinces, nations, or kingdoms.” Cf. Eduard Meyer, *Caesars Monarchie und das Principat des Pompeius; innere Geschichte Roms von 66 bis 44 v. Chr.*, third edition (Stuttgart and Berlin: J. G. Cotta’sche, 1922), 11–14. Caesarian apologetics have always emphasized the equal or greater ambitions of Pompey; a characteristic feature of these apologetics in the twentieth century is to emphasize Caesar’s early attachment to Pompey, not to Crassus; see, for example, *Last Generation*, 79–81. References could be multiplied *ad nauseam*.

intelligent in design and farsighted in conception”—and to maintain that Caesar had nothing to do with it.⁹⁷

Since Cicero's *De Rege Alexandrino* has been mislaid,⁹⁸ the evidence for the initial attempt to annex Egypt—apart from Cicero's masterful and patriotic *Contra Rullum* 2—is a fragmentary commentary on the lost speech, Plutarch's *Life of Crassus*, and Suetonius, *Divine Julius* 9. Since it explicitly implicates Caesar, Strasburger predictably goes after the errors in the latter;⁹⁹ Syme's approach is equally predictable.¹⁰⁰ But Gruen breaks new ground and must be quoted:

Crassus in 65 advocated the annexation of Egypt, an issue of high controversy and debate. A long line of historians interprets the maneuver as an effort of Crassus (and Caesar) 'to obtain a position of strength from which they could bargain with (Pompey)' [Gruen is quoting Allen M. Ward].

97 He resolves this conundrum at Gruen, *Last Generation*, 393: "That Julius Caesar was behind the proposal has often been surmised. It would not be inappropriate. As we have seen, other acts of this individual, in 63 and before, exhibit efforts to curry favor with Pompey. And several features of the bill parallel those later advocated in Caesar's own agrarian legislation [sc. of 59]. But hypothesis is suspended here." The passage quoted in the text is on 389.

98 See Jane W. Crawford, *M. Tullius Cicero, The Fragmentary Speeches; An Edition with Commentary*, second edition (Atlanta: Scholars Press, 1994), 43–56. Crawford, *Fragmentary Speeches*, 44: "But the evidence of Plutarch (*Crassus* 13.1) and of the Bobbio scholiast on this speech [Crawford usefully points out at 51 n. 23 that we had only one fragment of *De Rege Alexandrino* until A.D. 1817, when Cardinal Angelo Mai rediscovered 'the Bobbio scholiast'] suggests that annexation was Crassus's goal." The initial "but" is explained by the fact that Crawford has just summarized two attempts to palliate or obscure Crassus's motives (44 n. 6 and n. 7). Crawford is both independent and reliable on *De Rege Alexandrino* but on *In Toga Candida* (159–99), a crucial text for the fourth triumvirate, she toes the line; see in particular 163, 166 n. 66, 168, and 183.

99 See H. E. Butler and M. Cary (eds.), *C. Suetoni Tranquilli, Divus Iulius, Edited with an Introduction and Commentary* (Oxford: Clarendon Press, 1927), 54. Unlike Cary and Butler, Strasburger uses these errors to dismiss the passage entirely (*Caesars Eintritt*, 113–14); cf. Drumann, *Geschichte Roms* 3, 139–40.

100 Syme, *Sallust*, 98: "Then he [sc. Crassus] tries to have Egypt annexed—which is prevented by Catulus. In another version of this episode, it is alleged that Caesar, using tribunes, attempted to get himself a special command in Egypt: that was blocked by the 'factio optimatium' [n. 71]. So far, failure on the foreign front." The reader will recognize where this observation leads; as for where Syme is coming from, consider 98 n. 71: "Suetonius *Divus Julius* 11. This is accepted by M. Gelzer, *Caesar*⁶ (1960), 36. For due skepticism, H. Strasburger, o.c. 112ff." Strasburger enters the notes of Syme's "digression" at 96 n. 61; see also 97 n. 66 and 99 n. 78.

Hidden aims and postulated purposes, however, can be set aside [note the influence of Syme's style]. The proposal reached for the revenues of Egypt; taxes from the land would bring rich dividends to Roman coffers. Egypt was Rome's by bequest, so proponents of the bill urged. Crassus openly argued for military action, if it should be necessary. This measure, like that on the Transpadani, failed of achievement. But Crassus had taken a firm stand as champion of Roman imperialism and the Roman treasury.¹⁰¹

But not, it would seem, as the champion of M. Licinius Crassus. Here, by contrast, is Cicero in 63:

But if Alexandria is aimed at, why not follow the same course as that taken under the consulship of Lucius Cotta and Lucius Torquatus? [sc. 65 B.C.] Why not openly [*aperte*] as before? why not make for that country, just as then, frankly and straightforwardly [*directo et palam*]? or, Romans, have those who [*ii qui*] by a direct route [*per cursum rectum*] haven't been able to grasp a kingdom [*regnum*] now decided that by foul mists and darkness [*taetris tenebris et caligine*], they are about to arrive in Alexandria? (*Agr.* 2.44; Freese translation modified).

Caesar's heir finally answered this excellent question on August 1, 30 B.C.¹⁰² Thanks in no small part to Cicero, the *cursus rectus* to Egypt proved impossible and was eventually abandoned; he who sought and finally gained it, posed as its foe.¹⁰³ That, of course, is another story. But a story needs a beginning as well as an end, and none have done more to enwrap that all-important beginning with *tenebrae et caligo* than Strasburger, Gruen, and Syme. When Cicero told the Senate in 63 B.C. that he could see before him an eternal war with corrupt citizens,¹⁰⁴ he probably meant only Crassus, Caesar, and their *living* followers; even when he confided to his best friend that he cared only for the verdict

101 Gruen, "M. Licinius Crassus," 124–25; for Syme's influence on Gruen's style, see Crawford, "Hamlet without the Prince," 214.

102 Eleanor G. Huzar, "Augustus, Heir of the Ptolemies," *Aufstieg und Niedergang der römischen Welt* II 10.1 (1988), 343–382.

103 See Ronald Syme, "A Roman Post-Mortem: An Inquest on the Fall of the Roman Republic" in Syme, *Roman Papers*, edited by Anthony R. Birley, volume 5, 205–217 (Oxford: Clarendon Press, 1988), 215: "The war by Caesar's heir was a war solemnly and legally declared against Egypt."

104 *In Catilinam* 4.22: *Qua re mihi cum perditis civibus aeternum bellum susceptum esse video.*

of a distant posterity, he confined its duration to a mere six hundred years.¹⁰⁵ A considerably longer period has already proved him right in the darker claim: it has been, and will probably remain, an *aeternum bellum*. But just as a story requires both a beginning and an end, a war, especially an eternal one, requires two *active* opponents. The third and fourth triumvirates have dominated the field for far too long and it is high time for a return to Cicero.¹⁰⁶

105 *Ad Atticum* 2.5.1: *Quid vero historiae de nobis ad annos DC praedicabunt?*

106 This paper is dedicated to Bruno Weil, who, like Cicero, was forced to flee the land he loved; and to Cicero himself, who stayed behind in “the sewer of Romulus” with all the grim tenacity of Hermann Strasburger but with more dignity and far better effect.

Damaged Go(o)ds

Cicero's Theological Triad in the Wake of German Historicism

Elisabeth Begemann

1 Introduction

Describing literature in the late Roman Republic, Theodor Mommsen, the *Urvater* of Roman history in the nineteenth century notes: “As a writer [Cicero] stands as low as he does as a statesman. [...] A journalistic nature in the worst sense, abundant in words, as he himself says, but beyond poor in thought.”¹ His judgment of Cicero’s literary merits is short, though not as short as his handling of Ciceronian philosophy, which he is finished with in the space of one paragraph: “Cicero especially is one of those who repeatedly attempted to write up rhetorical and philosophical topics in this form of combination between textbook and storybook. [...] They are hardly passable, but without a doubt those writings in which the good sides of the author most easily outweigh his shortcomings.”² Even Lucretius’ epic poem on Epicurean philosophy is awarded more space in Mommsen’s monumental history. Concerning the philosophy (which is deemed having at least *some* value, albeit only in some very select writings), any writings on theology are completely excluded: neither *de Natura Deorum* nor *de Divinatione* are even mentioned, although they are primary sources for our knowledge of Roman religion, as even a cursory glance at any modern literary account of Roman religion will show. Clearly Mommsen thought little more of Cicero the philosopher than he did of Cicero the politician and generally Cicero the man. But he was scarcely alone in his harsh judgment of Cicero’s philosophical merits. In the nineteenth

1 Mommsen III 619: “Als Schriftsteller dagegen steht er vollkommen ebenso tief wie als Staatsmann. [...] Eine Journalistennatur im schlechtesten Sinne des Wortes, an Worten, wie er selber sagt, überreich, an Gedanken über alle Begriffe arm.”

2 Mommsen III 622: “Namentlich Cicero versuchte sich vielfach in der Darstellung rhetorischer und philosophischer Stoffe in dieser Form und in der Verschmelzung des Lehrbuchs mit dem Lesebuche. [...] Es sind keine großen Kunstwerke, aber unzweifelhaft diejenigen Arbeiten, in denen die Vorzüge des Verfassers am meisten und seine Mängel am wenigsten hervortreten.”

century, German scholarship was busy dissecting his philosophical treatises to see “through the muddy mind of the Roman dilettante into the clear depth of noble Greek thinkers”.³ The charge most often laid at Cicero’s door was that he did not understand what he was writing about, that he is a hindrance to the understanding of Hellenistic philosophy, and that modern philologists have a much clearer idea of Hellenistic philosophy in general and philosophical writings in wording and structure in particular. Thus Cicero’s texts were subject to numerous emendations in order to have them say what any scholar trying to make his point thought they should say, rather than looking closely at what Cicero intended by phrasing things the way he did.⁴

That the philosophical writings of Cicero were not original in the sense that they provided new lines of thought, constructing new theoretical buildings, granting hitherto unthought-of insight into greatest depth of philosophical reasoning has always been readily admitted by Cicero. A much quoted and much questioned passage is *Att.* 12.52.3: ἀπὸ γράφα sunt; *minore labore fiunt, verba tantum adfero, quibus abundo*—“They are copies, and don’t give me much trouble. I only supply words, and of them I have plenty.”⁵ While some scholars—rightfully—take this *cum grano salis* as an instance of Ciceronian modesty toward Atticus, others, the influential Hermann Usener and his students in the lead,⁶ take his words at face value: according to them, all Cicero did was copy what he found elsewhere, without giving content and underlying theories much thought, without understanding, without consideration, but instead with considerable haste. While Cicero openly admitted to drawing heavily on Greek philosophers and even states clearly that his aim was to provide a Latin edition of Greek philosophy,⁷ this has nevertheless always been held against

3 Hoyer 1898, 39: “durch den trüben Verstand des römischen Dilettanten hinein in die Tiefen edler griechischer Geister.”

4 Cf. for example Philippon 1916 who refers to a number of such instances in reconstructing Epicurean theology.

5 Tr. ed. Winstedt 1918.

6 Cf. Lörcher 1924, 72.

7 *Div.* II 4 (transl. Falconer): *Adhuc haec erant; ad reliqua alacri tendebamus animo sic parati, ut, nisi quae causa gravior obstitisset, nullum philosophiae locum esse pateremur, qui non Latinis litteris inlustratus pateret*—“I have named the philosophic works so far written: to the completion of the remaining books of this series I was hastening with so much ardour that if some grievous cause had not intervened there would not now be any phase of philosophy which I had failed to elucidate and make accessible in the Latin tongue.”—As Striker 1995, 53 notes: “To speak about Cicero and Greek philosophy is to speak about Cicero and philosophy, period. Philosophy, for the Romans of Cicero’s age, was a Greek thing and there was no other philosophy around.”

him. His lack of originality made for a major point of criticism where German philology was concerned, equating it with poorness of independent thought,⁸ if not outright poorness of character.⁹ But as MacKendrick rightly says: “The method of denigration was illogical and unfair; e.g., to reconstruct the Stoic philosopher Posidonius out of citations in Cicero, and then accuse Cicero of being a barrier to understanding Posidonius.”¹⁰

Today, Cicero the philosopher has found admittance again into the exalted circle of “serious” philosophers. But for a long time, especially during the era of Romanticism—with, as Andrew Dyck notes, “its cult of originality and reduced emphasis on style”—Cicero had quite fallen out of favor. The “increasing attention to Hellenistic philosophy and to the sources of C.’s theoretical writings tended to reduce them to no more than the sum of their parts.”¹¹ This judgment did not change in the era of historicism, which upheld source criticism, while unwilling to reflect on epistemological and philosophical questions, a circumstance under which Cicero’s philosophical writings had to suffer by necessity.

At the same time as philologists did their utmost to deconstruct the lasting fame of Marcus Tullius Cicero the philosopher, these self-same writings continued to be one of the primary sources (despite the massive compilation of Latin and Greek inscriptions which was undertaken by Mommsen in the framework of the German Academy) for Roman religious beliefs and practices.¹² While writings such as *de Natura Deorum*, *de Divinatione* and *de Fato* were of little worth in the eyes of classicists and philosophers alike, Striker notes that “what lies behind the lack of respect on the part of philosophers for these treatises is not an argument at all, but the habit of reading Cicero as a ‘source.’”¹³ And while she suspects this with respect to Cicero’s treatises on theology as a *philosophical* source, it is equally true with a view to religious practices of the late Roman republic.¹⁴ How then are we to handle this striking discrepancy between Cicero the philosophically callow compiler of worthier thinkers and Cicero the primary source for religious practices in the age of Caesar?

Focusing on Cicero’s theology as it is presented in the treatises *de Natura Deorum*, *de Divinatione* and *de Fato*, I will examine the treatment of Ciceronian

8 E.g., Hirzel 1877, 46.

9 E.g., Finger 1931, 161.

10 MacKendrick 1989, 4.

11 Dyck 2003, 16.

12 Cf. Wissowa 1902.

13 Striker 1995, 57.

14 Cf. Momigliano 1984, Mastrocinque 2007.

theology in the context of nineteenth century historicism, highlighting major points of criticism that have been leveled against the author, and examining what effect the philosophical criticism had on Cicero's *religio*. The literature included is by no means exhaustive, but gives a representative overview of the treatment of Ciceronian theology in the late nineteenth to mid-twentieth century. Cicero's philosophical-theological writings were certainly not read for their positive content, but with the aim of reconstructing the writings of the lost Hellenistic philosophers from their pages. The question was not 'What is Cicero's intent by writing the way he did and arranging his arguments in a certain way?', but 'What sources did he use to write the treatises?' and 'How did he mangle them?' While it was a worthy and necessary aim to restore those sources lost to us today, and to try to make a positive statement of the sources available to and used by Cicero to write his introductory surveys of Greek philosophy for the Romans, the pitfalls lay in the method employed: scholars approached Cicero's writings with a source-author already in mind and went on to interpret, emend, and pick over the wording of the text in its different manuscripts until they could make the pieces fall in place and 'prove' that the intended Hellenistic author was indeed Cicero's (usually misunderstood and misrepresented) source.¹⁵ Any systematic approach to Ciceronian theology was lost on the way: the treatises were, for the most part, treated separately, only where similar or related passages in the different parts of the Theological Triad seemed to belong to the same original source were they considered together. This makes for an oddly disrupted consideration of Cicero's theological writings, sometimes even going as far as calling into question that the three treatises *de Natura Deorum*, *de Divinatione* and *de Fato* were meant to be read together—despite Cicero's own assertions.¹⁶

While recent scholars are once again much more willing to recognize Cicero's own efforts and intentions, *Quellenforschung* and German historicism were busy with something very different than preserving respect for Ciceronian philosophy. What that means with regard to the Theological Triad shall now be discussed.

2 Cicero's Theological Triad

Cicero's Theological Triad was written in the years of Caesar's dominance, i.e., 44 and 43 B.C. It comprises the three treatises *de Natura Deorum*, *de*

¹⁵ Cf. for example Hoyer 1898, 48; Reinhardt 1921, 108.

¹⁶ E.g., Hoyer 1898, 39.

Divinatione and *de Fato* written in that order. *De Natura Deorum*, written under Caesarian dominance, is set in the days of Cicero's youth and purports to be a discussion between Velleius the Epicurean, Balbus the Stoic and Cotta the Academic skeptic with Cicero himself as the silent witness to the discussion about the nature of the gods and their relationship to mankind. Because Stoic teaching held that the gods in their benevolence cared for man and communicated with them in signs and oracles, the treatise *de Divinatione* followed naturally, a discussion of the brothers Quintus and Marcus Cicero—as Stoic and Academic, respectively—to which the third, *de Fato*, was added to discuss the conditions under which the gods were at all able to predict and warn men of what was heading their way. Cicero is the sole speaker in this one, denying outright the existence of such a thing as fate. In its own way, *de Divinatione* is a most interesting text, as it was begun before the Ides of March 44, but finished only after Caesar's death. The introduction of book II refers to the changed circumstances under which Cicero is writing, and it produces also a catalogue of his philosophical output, listing all the treatises he regards as relevant to his philosophical and political heritage, providing Rome with what it did not yet have: her own version of philosophical writings.¹⁷ It was Cicero's plan from the beginning to treat the question of the nature and being of the gods, divine communication with mankind, and a pre-determined world order in three separate treatises, which is attested to not only here,¹⁸ but by repeated references throughout the three treatises.¹⁹ If Cicero, as Schofield holds,²⁰ "is going to town on theology", he follows Stoic precedent. That makes the separate consideration of the three books and the questioning of their unity even odder, but as it was *Quellenforschung's* declared aim to see through Cicero's muddle the clear sources of Greek ingenuity again, the focus was more on the individual treatise than on Ciceronian theological writing in context.

17 Cf. Striker 1995, Baraz 2012.

18 *Div.* II 3: *Quibus rebus editis tres libri perfecti sunt de natura deorum, in quibus omnis eius loci quaestio continetur. Quae ut plane esset cumulateque perfecta, de divinatione ingressi sumus his libris scribere; quibus, ut est in animo, de fato si adiunxerimus, erit abunde satisfactum toti huic quaestioni.*—"After publishing the works mentioned I finished three volumes *On the Nature of the Gods*, which contain a discussion of every question under that head. With a view of simplifying and extending the latter treatise I started to write the present volume *On Divination*, to which I plan to add a work on *Fate*; when that is done every phase of this particular branch of philosophy will be sufficiently discussed." (tr. Falconer).

19 *Nat.* II 73; *div.* I 7; *fat.* 1.

20 Schofield 1986, 48.

This muddle is emphasized by Rudolf Hoyer, a philologist at Bonn University who wrote on Antiochus of Ascalon and Socratic philosophy as the scientific basis for later religious systems,²¹ as well as a discussion of Cicero's sources for his Theological Triad. He certainly knows his way around Hellenistic philosophy, and therefore deems that to glean anything from Cicero, he must be read with "a love he does not deserve."²² His most serious charge against Cicero's theological writings is that he did not understand what he was writing about, a strong claim echoed by other scholars. He says: "the old advocate liked best the *pro aut contra dicere* in philosophy. That Cicero, despite Schmekel's judgment, did really not understand what and how he wrote, we have to assume for many of his writings, and especially for *de nat. deor.* II, quite apart from Cicero's own admission in this respect."²³ What Cicero's "own admission" in this respect might be he keeps to himself, this being one of the beauties of the method employed, that it seems to be enough to assume and state something in order to 'prove' it or to leave it with vague references of the very general kind, as Barnes notes:

It is customary to begin the investigation with a modest disclaimer: we do not actually know from what sources Cicero quaffed. Then a guiding principle is established: Cicero relied upon a single authority—either because that was his general practice when writing philosophy, or because the particular circumstances in which he composed [his philosophy] impelled him to that economical policy. Finally, the single authority is identified. Investigations of that kidney have met with little success, convincing no-one but the investigator himself.²⁴

Hoyer assumes not only the arguments, but the very composition ("Eintheilung")²⁵ to be originally Greek,²⁶ though once again, as Cicero did not

²¹ Hoyer, Rudolf: *De Antiocho Ascalonita*. Diss. Bonn 1897.

²² Hoyer 1898, 39: "einer Liebe [...], die er eigentlich nicht verdient".

²³ Hoyer 1898, 41 with reference to Schmekel 1892: "ihm, dem alten Advokaten, [gefällt] das *pro aut contra dicere* am besten an der Philosophie. Dass Cicero aber trotz Schmekels Verwahrung wirklich nicht verstanden hat, was und wie er schrieb, werden wir für manch andere Schriften wie besonders für *de nat. deor.* II annehmen müssen, ganz abgesehen von Ciceros eignen Geständnissen darüber."

²⁴ Barnes 1985, 229.

²⁵ Hoyer 1898, 40.

²⁶ That he is not alone in doing so is underlined by Lörcher 1924, 73, who attributes to this line of thinking grave mistakes in identifying possible authors of the source material.

even understand *that*, the line of argument becomes confused,²⁷ repetitive²⁸ and unreliable.²⁹ Whatever is good in his writings is not originally Ciceronian, but belongs to the Greek original. How much the determination to find the source behind Cicero and not the intent of the Latin author is focused on, may be exemplified by the following quotation: “Cicero disrupts the content, and uses the same material twice: Because there is divination, the gods exist (de nat. 1), and because the gods exist, there is divination (de div. 1 10).”³⁰ What Hoyer does not regard in this respect is that Cicero himself has his literary self argue against such a line of reasoning:³¹ if divination is proven by the existence of gods, then it is much more likely that there are no gods than that divination proves the existence of the gods. Hoyer, and others like him, are guilty of the very same wrong conclusions (“Fehlschlüsse”) they charge Cicero with, due to their single-minded focus on what the Greek philosophers must have said instead of what the Roman “philosopher”³² did say.

In calling into question the unity of the Theological Triad, philologists of the nineteenth and early twentieth century regularly overlook the literary means Cicero employs to alert his readership to this very unity. Instead of taking *nat. deor.* III 19 and *div.* II 19 as the author’s references to those books he still means to write, Hoyer accuses Cicero of deferring the discussion of divination and fate, topics which “must have been discussed in the original” (why, he doesn’t say);³³ Hirzel, whose discussion of Cicero’s philosophical writings was widely received and much acclaimed, assumes the same thing, claiming that Cicero only mentions them now—and ever so briefly—to mark them as the most absurd consequences of Stoic cosmology,³⁴ whereas Hartfelder in his book on the sources for *de Divinatione* is somewhat fairer, admitting that an in-depth discussion was at this point not necessary, as the considered passage was brief enough: “I can therefore not agree with Hirzel who calls it a risky assumption by Schmiche that Panaitius’ treatise *peri pronoiās* had an in-depth

27 Hoyer 1898, 42.

28 Hoyer 1898, 42.

29 Hoyer 1898, 43.

30 Hoyer 1898, 43: “Cicero zerreisst aber den Zusammenhang und verwendet dasselbe Material doppelt: Weil es eine divination giebt, so sind auch Götter vorhanden (de nat. 1), und weil Götter sind, so giebt es auch eine divinatio (de div. 1 10).”

31 Cic. *div.* II 41.

32 Hoyer 1898, 61.

33 Hoyer 1898, 46 and 53: “müssen in der Originalschrift [...] berührt worden sein.”

34 Hirzel 1877, 24.

discussion of mantic.”³⁵ Even Schmekel, student of Wilamowitz-Moellendorff and Mommsen, who wrote the book on Middle Stoicism, claims that *fatum* is accorded too little space in *de Divinatione*, an inappropriately short fight against mantic practices,³⁶ while on the other hand Lörcher’s dissertation on *de Fato* grants that the question of divination is of “great interest” (*“maxime curae”*)³⁷ and that the question of fate is to be seen in this context, the treatise *de Fato* therefore to be read as a continuation of the two books *de Divinatione*.

Another frequent oversight of the all-too-ardent source hunters is their laxity with regard to Ciceronian terminology. One case in point is their willful use of the term *fatum*, which has been accorded, and especially so in the Theological Triad,³⁸ a fixed meaning by the author, from which he does not diverge. However, whereas in Cicero’s books on theology, *fatum* always denotes the causal nexus and is never equated with the gods or divine will, in discussions of Cicero’s sources we frequently find *fatum* as another term for the “omniscience and omnipotence of god” (“Allwissenheit und Allmacht Gottes”),³⁹ *fortuna*,⁴⁰ or a divine cosmic order (i.e., the gods not acting directly, but through their will),⁴¹ a “göttliche Weltordnung”.⁴² While Karl Reinhardt bemoans that there is no fixed terminology,⁴³ and Philipp Finger (who wrote several articles on supposed sources of Ciceronian philosophical writings, all of them rather acidly) claims the same with regard to the highest being, with Cicero calling it *mundus*, *aether* or *kosmos*,⁴⁴ their strictures are unjustified for several reasons. First, they are plain wrong with regard to *fatum* since Cicero is very carefully using one term with one meaning in all three books on theology, secondly, Cicero had no, or very little,⁴⁵ Latin terminology to draw on, but rather had to develop it for himself and his audiences, thirdly, a general introduction⁴⁶ to philosophy is hardly the place for discussion of the finer

35 Hartfelder 1878, 23: “Ich kann daher Hirzel nicht beistimmen, der es eine gewagte Vermutung von Schiche nennt, Panätius habe in der Schrift *peri pronoiās* eingehend von der Mantik gehandelt.”

36 Schmekel 1892, 163.

37 Lörcher 1906, 342. The dissertation was accepted at the University of Halle in 1906.

38 Cf. Begemann 2012, 130.

39 Hoyer 1898, 60.

40 Hoyer 1898, 63.

41 Finger 1929, 371.

42 Finger 1929, 379.

43 Reinhardt 1921, 245.

44 Finger 1931, 163.

45 Rawson 1985, 284.

46 In this I follow Striker 1995 and Barnes 1985.

distinctions of philosophical terminology,⁴⁷ and lastly to ask: where is the sense in claiming that Cicero was wrong in equating *mundus* with *kosmos*? Such a claim is as absurd as insisting that the capital of the U.S. is not the same as Washington, DC—the one is a mere Latin translation of the original Greek term.

A regular accusation against Cicero the philosopher is his supposed disorder in arranging and presenting his arguments. Not that they were, of course, *his*—wherever any good thought was to be found in the Ciceronian oeuvre, it was, as a rule, a more direct translation from the Greek original, whereas anything that was deemed poorly executed or unbefitting a Greek philosopher—again with an eye on the goal of identifying the source in question—was introduced by Cicero himself.⁴⁸ No proof was required to ascribe “bad” parts

47 Cf. Rackham 1933, xii: “he performed a notable service to philosophy. With the Greek schools it had now fallen into crabbed technicality: Cicero raised it again to literature, so commending it to all men of culture” as well as Dyck 2003, 13: “To put highly technical philosophical arguments into lucid Latin was a challenge even to his formidable powers of expression. But to judge from the letters written during composition of *N.D.*, he relished this challenge.”

48 E.g., Reinhardt 1888, 32: “This accords with the fact that the citation is so inept in both instances that we must not accord it to any Greek philosopher.”—“Dazu stimmt denn auch, dass die Anführungen daraus im Grunde an beiden Stellen so unpassend sind, wie wir es einem griechischen Philosophen nicht zutrauen dürfen.”; 49: “That is Cicero’s mistake which we must neither make ourselves nor let us presume any Greek philosopher to have made.”—“Das ist eben Ciceros Irrtum, den wir deswegen weder selbst mitmachen, noch den griechischen Philosophen zutrauen dürfen”; Schmekel 1892, 98f.; Hoyer 1898, 44: “in the third part Cicero is again closer to the Greek authors, therefore his disposition becomes much more lucid.”—“In dem dritten Theile C schliesst Cicero sich wieder etwas mehr an den griechischen Autor an, und daher ist die Ausführung auch klar und übersichtlich.” vs. 45: “A reference to the original can hardly be found. Cicero philosophizes on his own and begins with a minor forgery. [...] There is no line of argument whatsoever, it is rather mostly the ‘verba’ which Cicero recites here up to §168.”—“In demselben ist kaum ein Anschluss an das Original zu erkennen. Cicero philosophirt [sic] auf eigene Faust und beginnt gleich mit einer kleinen Täuschung. [...] Von einer ernsten Beweisführung ist keine Rede, es sind meist die bekannten ‘verba’, welche Cicero hier bis zum Schlusse §168 anbringt.”; also Hirzel 1877, 2: “We may assume from the very beginning that those parts of Ciceronian writings in which an adherent to any philosophical school expounds its teachings in continuous speech are much closer to the original than any part in which Cicero attempts to philosophize on his own.”—“Wir dürfen von vorn herein annehmen, dass diejenigen Abschnitte der ciceronischen Schriften, in denen Vertreter einer bestimmten Philosophie eine Lehre derselben in zusammenhängender Darstellung entwickeln, das griechische Original treuer wiedergeben, als solche, in denen Cicero in eigenem Namen philosophirt [sic].”; Finger 1929: “Cicero abandons us almost completely here, but there

(in the eyes of the scholar) to Cicero, i.e., everything deemed beside the supposed point, absurd, too colorful or illogical, nor to ascribe the “good” parts to the unknown sources of Greek philosophers: “what in Cicero is a remarkable lack of clarity of thought, was surely calculation in his Stoic source.”⁴⁹ While the focus of *Quellenforschung* must naturally be a different one than interpretation of Cicero’s writings, the carelessness with which the actual wording and thus meaning was regularly brushed aside in its wake is remarkable. Regular repetitions, contradictions and uncertainty in argumentation, meaningless interruptions (“Einschiebsel”),⁵⁰ and a lack of structure⁵¹ are common claims, while Hoyer also notes that Cicero’s *de Divinatione* had a fourfold disposition, which “Cicero did not strictly follow, allowing himself to be led astray in his superficial way of composition (dictate!) by the material.”⁵² While we have numerous instances in the letters, especially to Atticus, that Cicero did indeed employ a slave to write the letters for him—when he was tired or ailing—there is no proof that he composed his philosophical writings in a like manner, and Hoyer offers none. Again, it seems to be enough to state it (and mark it with an exclamation mark to underline the supposed fact) to prove it.

While the structure of the first book *de Divinatione* is certainly somewhat arbitrary,⁵³ although not without order,⁵⁴ that is a far cry from claiming, as Leopold Reinhardt,⁵⁵ Karl Reinhardt,⁵⁶ and Hirzel did, that there is no order at all in any of his writings. Reinhardt describes it as an “inorganic compilation, a tiring listing of numerous disrupted syllogisms, without structure; a piling up of loose material, in which the arrangement and order does not matter,” going on to say that “the structure and arrangement is, as I said, irrelevant concerning

is no other way to explain the position. That is very different in Posidonius.”—“Cicero lässt uns hier fast ganz im Stich, aber man kann diese Lehre nicht anders erklären. Bei Posidonius ist das alles ganz anders”; Finger 1931, 152: “Much worse are the Cicero-introduced contortions of his sources.”—“Viel schlimmer sind die daraus entstehenden Verzerrungen der Lehren der von Cicero benutzten Philosophen.”

49 Reinhardt 1888, 39: “Was [...] bei Cicero als auffallender Mangel an Schärfe des Gedankens erscheint, das war in seiner stoischen Quelle sicher Berechnung.”

50 Hoyer 1898.

51 Schmekel 1892; Vick 1902; Reinhardt 1921; Finger 1931.

52 Hoyer 1898, 46: “[...] Cicero nicht streng befolgt hat, weil er sich bei seiner oberflächlichen Schreibweise (Diktat!) durch das Material irre leiten liess.”

53 Schofield 1986, 52.

54 Krostenko 2000, 370.

55 Reinhardt 1888, 44.

56 Reinhardt 1921.

the loose material”⁵⁷ in the second book of *de Natura Deorum*. Finger adds that “the structure of book III is in no way better than in book II,”⁵⁸ a harsh judgment which Hirzel emphasizes, but ameliorates by saying, “while Cicero certainly deserves the low esteem in which he is held by the carelessness with which he composed his philosophical treatises, the confused or incorrect reproduction of the thought of his Greek sources,”⁵⁹ he did at least have some merit as a philosophically well-read and educated person who, all in all, knew what he was talking about.

But the overall image that is painted of Cicero the philosopher in the late nineteenth century is of someone who doesn’t know what he is talking about,⁶⁰ who doesn’t understand the subject he is writing on,⁶¹ who has no plan going forward,⁶² and who is generally lost without the guiding hand of his (Greek) source.⁶³ There are very few scholars who challenged this image at that time, granting Cicero thorough knowledge of the material he used,⁶⁴ taking into account that he had been a student of philosophy for the greatest part of his life,⁶⁵ that he had read and discoursed with adherents of different

57 Reinhardt 1921, 209f.: “unorganische Häufung, jene ermüdende Aufreihung von lauter einzelnen, zerhackten Syllogismen, ohne jede Gliederung und Aufbau; eine Stapelung losen Material, das nur als Material genommen sein will, bei dem es nicht darauf ankommt, ob es in dieser oder jener Ordnung liegt, [...] “die Einteilung und Einordnung ist, wie gesagt, bei einem solchen an sich losen Material sehr gleichgültig.”

58 Finger 1921, 319: “die Gliederung im dritten Buche um kein Haar besser ist als die im zweiten”.

59 Hirzel 1877, 48: “mag endlich Cicero noch so sehr durch den Leichtsinn, mit dem er bei der Abfassung seiner philosophischen Schriften zu Werke ging, das geringschätzige Urtheil verdient haben, das man über ihn als philosophischen Schriftsteller fällt, mag er noch so oft die Gedanken seiner griechischen Vorbilder confus oder verkehrt wiedergegeben haben...”.

60 Hoyer 1898, 52; Reinhardt 1888, 58.

61 Hirzel 1877, 56; Philippson 1916.

62 Reinhardt 1888, 10; Finger 1931, 181.

63 Hirzel 1877, 3: “he was less familiar with natural philosophy, so that he did not make a single step in these shadows without the hand of his Greek guide.” —“dass ihm das naturphilosophische Gebiet weniger vertraut war und er in diesen Finsternissen keinen Schritt ausser an der Hand eines griechischen Führers zu thun wagte.” Reinhardt 1888, 34, 38 even claims dependence on a Roman source for the Roman material used in the philosophical writings—it is a stretch to imagine a politician who made his way to the consulate *via* the courts not to be able to have a vast array of fitting *exempla* at the tip of his tongue at all times. Cf. Vick 1902, 247.

64 Reinhardt 1888, 17; Hartfelder 1878, 1.

65 Lörcher 1906, 338.

philosophical schools whenever time allowed, and that his formidable memory would hardly have failed him now when he was setting out to cement his legacy directed at Rome's youth when there seemed to be little chance of it being a political legacy.⁶⁶ That legacy included a formulation of the right attitude toward *religio* and *cultus deorum*, a way to "reconcile public religious conformity with private freedom of thought. His enemies call this keeping two sets of books: desiring to stand well with Academic truth and yet not ill with the College of augurs."⁶⁷

2.1 De Natura Deorum

One notable discussion of the sources Cicero used for *de Natura Deorum* is Rudolf Hirzel's *Untersuchungen zu Ciceros philosophischen Schriften I*. Hirzel was professor of philology at the universities of Leipzig and Jena, and, having written both dissertation and habilitation on Plato, would continue to consider philosophical questions, in a philological context, throughout his career, among them, Cicero's sources. That he was quite influential in his day is witnessed by the fact that he was a member of both the Saxonian and Bavarian Academies and received an honorary doctorate in 1913. His judgment is therefore all the more damning when, though readily recognizing Cicero's intent in writing philosophy,⁶⁸ he still claims a strong dependence on Greek sources: "The dependence of Cicero on his Greek predecessors is especially strong in *de natura deorum*."⁶⁹ And while he grants that Cicero arranged the subject to suit his purposes,⁷⁰ he thinks it unlikely that Cicero knew enough about the different teachings of the philosophical schools to be working without a source at his elbow.⁷¹ Another point he repeatedly makes—one that is echoed

66 Hartfelder 1878, 12. Cf. Baraz 2012. MacKendrick 1989, 26: "To Cicero, the State was the important thing."

67 MacKendrick 1989, 26.

68 Hirzel 1877, 7: "He focused on the discussion of the different theological positions, not on the different philosophies, and since he also tried to abbreviate his originals as much as possible, he left out everything that was superfluous."—"Es war ihm um eine Darstellung der verschiedenen theologischen Lehren zu thun, nicht um eine Aufzählung der verschiedenen Philosophen, und das er ausserdem sein griechisches Original nach Kräften zu kürzen suchte, so liess er alles aus, was zur Erreichung jenes Zweckes nicht ganz nothwendig war."

69 Hirzel 1877, 11: "Die Abhängigkeit Ciceros von seinen griechischen Vorbildern ist gerade in der Schrift *de natura deorum* sehr stark."

70 Hirzel 1877, 21 with reference to Cic. *fin.* 1.2.6.

71 Hirzel 1877, 12, 28f., 33.

in many other places⁷²—is to refer to the haste with which Cicero was writing his philosophy. Far from allowing that the speed with which Cicero wrote philosophy speaks to lacking redaction in patching parts of different philosophers together and therefore making it easier for the classical scholar to identify those parts which were clearly not Ciceronian, this enormous “haste,” scholars were sure, rather introduced many of those mistakes that puzzled them, as Cicero’s wording diverged significantly, it was felt, from the original text of the otherwise lost Hellenistic sources he was using.⁷³ Hirzel is sure that *de Natura Deorum* was written with a tremendous haste,⁷⁴ and that this led to a number of shortcuts and slips of the pen.⁷⁵ He doesn’t explain why Cicero should have been in such haste, and the historical situation has us wondering as well: the date of composition of *de Natura Deorum* is generally agreed upon as summer to early fall of 44 B.C. Dyck notes: “The general prerequisite was leisure, and this was available in consequence of his exclusion from most public activity following Caesar’s victory in the civil war.”⁷⁶ While Cicero was certainly a fast writer (as the output of philosophical writings between 45 and 43 B.C. makes clear), equating speed with haste and carelessness is far-fetched, and ignoring an author’s intent while trying to discern his sources is a risky business, as it paints only half the picture. The question of *why* Cicero used the sources and arguments he did and *in what way* he used them, remains unanswered and indeed unasked. It seemed easier to assume that he chose his sources almost randomly, looking at author and title but little else, abruptly putting

72 E.g., Hartfelder 1878, Hoyer 1898.

73 Hirzel 1877, 17: “Cicero was more concerned with speed than thoroughness in respect to his philosophical writings, therefore not taking the time to compare different sources for any part of his writings, but rather sticking to one source throughout.”—“Da Cicero, dem es bei seinen philosophischen Arbeiten mehr um die Schnelligkeit als um die Gründlichkeit zu thun war, sich nicht die Mühe zu nehmen pflegte, für einzelne Partien seiner Werke mehrere Quellen zu gegenseitiger Controlle zu benutzen, sondern sich in der Regel an eine einzige hielt.”; cf. also 58. 97 and Finger 1929, 374: “The minor alterations that make for enormous change in meaning introduced by Cicero are quite remarkable; he inserts *potest* in both 109 and 118 and everything looks different. Cicero relativizes what was absolute in his sources. In the one *must have stood* [...] *it must have said* [...]”—“Es ist erstaunlich, mit wie geringen Veränderungen Cicero den beiden Lehren ein anderes Gesicht gibt; er fügt sowohl 109 als auch 118 *potest* ein und alles sieht nun anders aus. Cicero relativiert, was in den beiden Quellenschriften absolut gemeint war. In der einen Quellenschrift *muss gestanden haben* [...] *muss es geheissen haben* [...]” (emphasis mine).

74 Hirzel 1877, 191.

75 “Flüchtigkeitsfehler sind eben deshalb charakteristisch für die Schrift über das Wesen der Götter, in der wir viele dergleichen finden”, Hirzel 1877, 97.

76 Dyck 2003, 2.

one source down and picking up the next to account for arguments that do not fit the writer the scholar had in mind as Cicero's source.⁷⁷ That implies once again, of course, that Cicero does not understand his sources,⁷⁸ that he doesn't notice contradictions and mistakes,⁷⁹ introduces new ones,⁸⁰ and that his writings are, all in all, careless,⁸¹ naïve,⁸² and superficial,⁸³ he himself being a "confused scribe, whose quill on occasion produced downright nonsense."⁸⁴ However, Hirzel does recognize the (relative) worth of Cicero as a source for Epicurean theology, granting that what Cicero put down was "just as much as Cotta would refute," that a careful selection of arguments had indeed taken place to further the author's aim in writing *de Natura Deorum*.⁸⁵ He also praises Cicero's "historical faith" ("historische Treue"), while warning his readers not to overestimate the Roman's diligence: Cicero, the Academic, did not feel bound to one single source.⁸⁶

Despite this dire warning, the hunt for Cicero's sources went on, and esteem for the Latin writer was taken down a further notch or two. In 1888, Leopold Reinhardt wrote on the sources of *de Natura Deorum*. Reinhardt was a student of Wilhelm Studemund and Jakob Freudenthal in Breslau, and dedicated his little book to his teachers—one a philologist, the other a philosopher—before returning as a teacher to the *Gymnasium*. Reinhardt grants that there is no call for assuming that Cicero was totally ignorant of Greek philosophy and the outlines of the major schools,⁸⁷ even calls Hirzel and Schmekel to task

77 Cf. Hirzel 1877, 18.

78 Hirzel 1877, 56.

79 Hirzel 1877, 36.

80 Hirzel 1877, 203.

81 Hirzel 1877, 36.

82 Hirzel 1877, 208.

83 Hirzel 1877, 77.

84 Hirzel 1877, 59: "confuse[r] Scribent[...], dessen Feder gelegentlich baarer Unsinn entfloss."

85 Hirzel 1877, 80f. 67: "gerade so viel [...], als Cotta widerlegen will."

86 Hirzel 1877, 192 and 215.

87 Reinhardt 1888, 1: "While it is of no great importance with respect to content, it proves that Cicero was quite able without a source to indicate which problems were relevant in context and who the major exponents of the different answers were, that he was indeed able to draw on the philosophical studies which he had begun early in life and indulged in for a long time"—"Wenn sie auch inhaltlich nicht von grosser Bedeutung ist, so lehrt sie doch wenigstens, dass Cicero auch ohne irgend welche Vorlage angeben konnte, um welche Fragen es sich bei seinem Problem handelte und wer die Hauptvertreter der verschiedenen Antworten seien, dass er sich also noch ohne Grund auf seine frühzeitig begonnenen und lange Jahre fortgeführten philosophischen Studien berufen konnte." He

for assuming that certain repetitions and inconsistencies were necessarily of Ciceronian origin and did not belong to the source he was copying,⁸⁸ and even states that Cicero was much more sensitive to the material and its cohesion than the moderns are.⁸⁹ In the end, however, he agrees that Cicero hardly worked out the technical passages by himself and that wherever he did try to argue in his own name, such argumentation was dialectical, rather than philosophical.⁹⁰ In contrast to Hirzel, he does not much dwell on the supposed haste with which Cicero was supposed to have written the treatise on the gods' nature,⁹¹ and does in fact give some thought to Cicero's intent in writing his theological books: "The Roman always wants to see the practical use of philosophy, this thought permeates his philosophical observations und demands attention in any suitable and unsuitable context."⁹² Accordingly, Cicero made certain choices of argument and structure that would help him reach the intended end.⁹³ While his Cicero does not possess any greater erudition,⁹⁴ he has at least given some thought to things practical when writing philosophy, however strange and self-contradictory (and there is truly no reason to regard Reinhardt's own little book as contradiction-free) his thoughts may be. There are, of course, the usual claims about Cicero's approach: his philosophy

also points to Cicero's translation of Plato's *Timaeus* shortly before, which would still have been fresh in his mind and ready to be drawn upon, 8.

88 Reinhardt 1888, 5. Cf. Mayor's review of Reinhardt 1888: "unjust to Clitomachus to suppose that he could have burdened his treatise with all the examples cited by Cicero", Mayor 1889, 360.

89 Reinhardt 1888, 7.

90 Reinhardt 1888, 49.

91 Reinhardt 1888, 10.

92 Reinhardt 1888, 11: "Der Römer will auch in der Philosophie stets den praktischen Nutzen sehen, dieser Gedanke durchdringt ihn bei jeder philosophischen Betrachtung und verlangt bei passenden und unpassenden Gelegenheiten zum Ausdruck gebracht zu werden."

93 Reinhardt 1888, 17: "One has to regard any divergence in presentation of the different philosophical schools in this light: they are all introduced by Cicero in such a way as to aid the confutation and are therefore distortions and falsifications, and whosoever attributes these to Cicero, as Diels does, cannot spare him the title of forger."—"In anderm Licht erscheinen die Abweichungen in der Darstellung der philosophischen Lehren bei Cicero: sie sind sämtlich der Art, dass sie die Widerlegung der betreffenden Lehren erleichtern und charakterisieren sich dadurch als Entstellungen und Fälschungen, und wer diese dem Cicero zuschreibt, wie Diels, darf ihm auch den Vorwurf des bewussten Fälschers nichts ersparen."

94 Reinhardt 1888, 16, 47, 62.

is “mere translation” (“blosses Übersetzen”),⁹⁵ he is unreflecting and does not care about logical cohesion,⁹⁶ is careless, lazy,⁹⁷ impatient⁹⁸ and woefully neglectful, if not outright dense in handling his sources.⁹⁹ Reinhardt states: “Cicero’s translations, in order to be literal, have left Latin language usage.”¹⁰⁰ Does that make sense to say of an author who created a philosophical terminology for his compatriots and whose avowed aim it was to introduce his fellow Romans to philosophy? How could he do so, if they did not even understand him? The very fact that Cicero succeeded proves Reinhardt wrong in his assessment.

Where Reinhardt was quite successful, however, is in his introduction of a “helper” (“Gehülfe”) who supposedly wrote up Cicero’s philosophy for him so that, so the inference, all that Cicero had to do was add the literary touches. He says that “the rapid pace of Ciceronian composition was only possible because of the much greater use of such helpers as has hitherto been assumed,”¹⁰¹ claiming that Cicero gave the necessary Greek source texts to his supposed helpers for adaption or editing (“Bearbeitung”).¹⁰² Any mistakes and inconsistencies introduced into the relevant passages are therefore not the fault of the original Greek source, and no fault of Cicero’s, either, but were introduced (willfully!)¹⁰³ by the helper. How long a lifespan this helper is granted is evident in that he reappears in the German translation of the Atticus letters by Helmut Kasten and even Klaus Bringmann still cites him.¹⁰⁴ The letters in question are *Att.* 16.11.4 and 16.16.4, the “helper” in question Athenodoros Calvus, a Stoic from Tarsos and friend of Cato, and the passages are worth quoting here:

95 Reinhardt 1888, 18.

96 Reinhardt 1888, 25.

97 Reinhardt 1888, 26. 41.

98 Reinhardt 1888, 65.

99 Reinhardt 1888, 61.

100 Reinhardt 1888, 31: “Cicero’s Übersetzung hat, um wörtlich zu sein, den lateinischen Sprachgebrauch verlassen.”

101 Reinhardt 1888, 19: “die grosse Schnelligkeit der ciceronischen Schriftstellerei nur bei einer weit ausgedehnten Benutzung derartiger Kräfte, als man gemeinlich annimmt, möglich war.”

102 Reinhardt 1888, 19: “... und so gab er sie zur Bearbeitung einem mit der epikureischen Philosophie vertrauten Gehülfe.”

103 Reinhardt 1888, 19: “nahm, um sich dies zu erleichtern, auch zu Fälschungen seine Zuflucht.”

104 Bringmann 2003, 154.

Ego autem et eius librum accersivi et ad Athenodorum Calvum scripsi, ut ad me τὰ κεφάλαια mitteret, quae exspecto.

"I have sent for his books and written to Athenodorus Calvus to send me the κεφάλαια, which I expect."

Athenodorum nihil est quod hortere, misit enim satis bellum ὑπόμνημα.

"Athenodorus is no longer to be pressed, as he has sent me a good ὑπόμνημα."

To ask a Stoic in the context of writing *de officiis* to summarize the major points of his school as an aid to memory, or even a commentary (ὑπόμνημα carries both meanings), is a far cry from suggesting that Cicero regularly and to a far greater extent relied on others to write up the sources for him and prepare them for his use. With respect to *Att.* 13.17, in which Cicero asks Atticus to please send him the Caelius epitomes by Brutus, we may even question if the compendium of Stoic positions on duties was written for Cicero specifically, or if Cicero did not, as was the case regarding the Caelius epitomes, simply ask twice for a pamphlet that he knew Athenodorus had written, as he only says *mittere*. Cicero certainly drew on scribes to write his dictated letters, or employed others, even young senators, to take down every word he said in the Senate (as happened in the year of his consulate during the events of the Catilinarian Conspiracy in December 63), but to have someone else write his philosophy for him so that he himself would "only have to supply the words"¹⁰⁵ is far-fetched. It is much better, though not in keeping with nineteenth-century opinion of Cicero, and therefore not to be expected, to stand in awe of the speed and erudition with which Cicero proceeded in writing philosophy, than to belittle him and his power of memory and composition.¹⁰⁶

With respect to *de Natura Deorum*, Hoyer comes to his usual conclusions. The fact that the treatise, he says, is full of misunderstandings,¹⁰⁷ superficialities, and inconsistencies, shows that Cicero never understood what he was writing about,¹⁰⁸ where he fails to grasp the subject on a philosophical level,

¹⁰⁵ Cic. *Att.* 12,52,3.

¹⁰⁶ I must confess myself completely puzzled by Reinhardt's statement: "even the newly minted expression 'anus fatidica' was a common one"—"auch der immerhin originelle Ausdruck 'anus fatidica' muss wohl Gemeingut gewesen sein", Reinhardt 1888, 8, which does not make sense at all: how can an original expression, i.e., one coined by Cicero, be common stock before it was ever used?

¹⁰⁷ Hoyer 1898, 43.

¹⁰⁸ Hoyer 1898, 50. 52.

he turns to dialectics to save him.¹⁰⁹ Ironically, this is just what happens when Hoyer himself fails to integrate what Cicero wrote into the philosophy of what he was absolutely certain was Cicero's source (Antiochus):¹¹⁰ he takes refuge in claiming that it is "Cicero's own philosophy" ("Ciceros eigene Philosophie").¹¹¹ As others did before him and will do after him, Hoyer pays less attention to Cicero's intent than to the possibility of finding the lost Hellenistic originals behind Cicero's wording. One example may suffice: in the context of Velleius' depiction of Epicurean philosophy, which emphatically does not end with the rejection of divine beings,¹¹² Hoyer writes that one could only "be prepared for the rejection of the existence of the gods. The opposite happens! It is said that Epicurus himself had seen the general belief in them as first prove for the existence of the gods."¹¹³ While Hoyer's criticism is, in a way, justified (as the next logical step in *de Natura Deorum* is not taken), he is wrong in not integrating this passage into the whole of Cicero's treatise, for this is exactly what Cotta

109 Hoyer 1898, 45.

110 Hoyer 1898, 45, 47f., despite difficulties in telling Posidonius and Antiochus apart: "A distinction of separate thoughts in the following paragraph between Antiochus and Posidonius is hard to make, as both men taught positions so similar to each other that one could easily identify them as one."—"Eine Scheidung der einzelnen Gedanken des folgenden Abschnitts in antiocheische und posidonische ist aber kaum durchführbar, da die Lehren der beiden Männer sich in vielen Punkten so berühren, dass man sie gleichsetzen kann." However, he insists on Antiochus as the original source, 48: "There is no doubt that the original was a text of Antiochus"—"lassen keinen Zweifel, dass die Originalschrift ein Werk des Antiochus war."

111 Hoyer 1898, 43.

112 *Nat.* 1 43: *Ea qui consideret, quam inconsulte ac temere dicantur, venerari Epicurum et in eorum ipsorum numero, de quibus haec quaestio est, habere debeat. Solus enim vidit primum esse deos, quod in omnium animis eorum notionem inpressisset ipsa natura. Quae est enim gens aut quod genus hominum, quod non habeat sine doctrina anticipationem quandam deorum, quam appellat prolepsin Epicurus, id est anteceptam animo rei quandam informationem, sine qua nec intellegi quicquam nec quaeri nec disputari potest.*—"Anyone pondering on the baseless and irrational character of these doctrines ought to regard Epicurus with reverence, and to rank him as one of the very gods about whom we are inquiring. For he alone perceived, first, that the gods exist, because nature herself has imprinted a conception of them on the minds of all mankind. For what nation or what tribe of men is there but possesses untaught some 'preconception' of the gods? Such notions Epicurus designates by the word *prolepsis*, that is, a sort of preconceived mental picture of a thing, without which nothing can be understood or investigated or discussed." (transl. Rackham).

113 Hoyer 1898, 49: "auf eine Leugnung des Vorhandenseins von Göttern gefasst sein. Das Gegenteil erfolgt! Es wird gesagt, dass gerade Epikur in dem allgemeinen Glauben an Götter den ersten Beweis für ihr Vorhandensein erblickt habe!"

picks up on to prove the Epicurean wrong.¹¹⁴ While Velleius insists that there are gods and that Epicurus freed men from superstitious ideas of their being, Cotta corrects him:

verius est igitur nimirum illud, quod familiaris omnium nostrum Posidonius disseruit in libro quinto de natura deorum, nullos esse deos Epicuro videri, quaeque is de deis immortalibus dixerit invidiae detestandae gratia dixisse

So undoubtedly closer to the truth is the claim made in the fifth book of his *Nature of the Gods* by Posidonius, whose friendship we all share: that Epicurus does not believe in any gods, and that the statements which he made affirming the immortal gods were made to avert popular odium.¹¹⁵

Moreover, if Epicurus himself never wanted to deny the existence of god, why should Cicero's Velleius do so? Hoyer is quite wrong to lay this at Cicero's door. His other claims against Cicero include the usual: extensive wordiness,¹¹⁶ lack of structure,¹¹⁷ contradictions,¹¹⁸ insecurities,¹¹⁹ and selective or arbitrary usage of his material.¹²⁰ Is it right to accuse Cicero of this last? As it wasn't Cicero's intent to reproduce a full overview over all arguments of all philosophical schools in Latin but to provide for his readers a guided introduction of the "ways of the noblest learning" (*optimarum artium vias*),¹²¹ was he not right to choose his arguments accordingly? And moreover, do modern scholars, in the nineteenth century as much as today, not do the very same? Hoyer and his fellows are, after all, a capital case in point.

The beginning of the twentieth century did not see much change in its attitude towards Cicero's philosophical merits. He is still deemed careless,¹²² confused,¹²³ and helpless without his sources.¹²⁴ In 1921, Karl Reinhardt produced his influential and widely acclaimed book on Posidonius, in which he reconstructed the philosophy of the great Stoic systematically and in some

¹¹⁴ Cf. *nat.* I 62.

¹¹⁵ *Cic. nat.* I 123.

¹¹⁶ Hoyer 1898, 45, 48, 53.

¹¹⁷ Hoyer 1898, 46, 47, 54.

¹¹⁸ Hoyer 1898, 44.

¹¹⁹ Hoyer 1898, 44.

¹²⁰ Hoyer 1898, 50, 52.

¹²¹ *Cic. div.* II 1.

¹²² Vick 1902, 234, 237f. 242; Philippson 1916, 584, 605.

¹²³ Vick 1902, 238f.; Philippson 1916, 599, 602.

¹²⁴ Vick 1902, 241, 246; Philippson 1916, 605.

detail. Reinhardt was one of the foremost Greek philologists of his time, member of two Academies and decorated for his merits (he received the order *Pour la merité* for Arts and Sciences in '52 and the honorary doctorate of the University of Frankfurt in '56). His word, therefore, carried weight and seems to mark a turning point when he depicts the methods of *Quellenforschung* as follows:

The way in which scholars have proceeded to reconstruct Posidonius' treatise on the gods from Cicero's and Sextus' writings is a perfect example of a method which is used more often than it is successful. This method consists of comparing lines of thought in different writings, supplementing them from each other, cleaning up differences in order, arrangement and usage by interpretation, conversion, supposed gaps in the argument etc., to create one perfect, primary opus from the imperfect writings in which everything must have been written that is scattered over the different treatises, to finally, thus equipped with numerous identifying markers, go house to house in the literary tradition to find a father for the grown, but still nameless child. Which is usually quite easy. One argues [back and forth] until in the end no one remains except the author already in mind.¹²⁵

Reinhardt himself recognizes a plan behind Cicero's way of writing,¹²⁶ and identifies it as "educational philosophy" ("Bildungsphilosophie"),¹²⁷ though he

125 Reinhardt 1921, 208 with reference to Schmekel 1892: "Die Art, wie man zu Werke gegangen ist, um aus Ciceros und Sextus' Schriften Schrift und Lehre des Poseidonios' 'Über die Götter' wiederherzustellen, darf als Muster einer Methode gelten, die bei quellenkritischen Untersuchungen häufiger angewandt wird, als sie Erfolg hat. Diese Methode besteht darin, Gedankenmassen, die sich in verschiedenen Schriften wiederholen, zu vergleichen, auseinander zu ergänzen, Unterschiede ihrer Reihenfolge, Fassung und Verwertung durch das, was man Interpretation nennt, Umstellungen, Annahme von Lücken und dergleichen zu beseitigen, dann aus den einzelnen, anscheinend mangelhaften Exemplaren ein vollkommenes, großes Uropus [...] zu konstruieren, in dem alles vereint gestanden haben müsse, was verstreut in den verschiedenen Exemplaren steht, um endlich, ausgerüstet mit so reichlichen Erkennungszeichen, in der literarischen Überlieferung von Haus zu Haus zu ziehen, um dem großen, angewachsenen, aber immer noch namenlosen Kinde einen Vater zu verschaffen. Was dann gewöhnlich auch mit leichter Mühe gelingt. Man argumentiert, [...] so [daß] am Ende niemand übrig bleibt als gerade der, den man sich wünscht [...]."

126 Reinhardt 1921, 234.

127 Reinhardt 1921, 240.

deems it “passionate and of short duration, the only flower he put forth”¹²⁸—a strange assessment. However, as his criticism of *Quellenforschung*’s methods already indicates, he does not blame Cicero for the introduction of the trivial and absurd in the discussion of theology, but rather the source that both he and Sextus Empiricus drew on.¹²⁹ While Cicero remains a “collector and amateur” (“Sammler und Dilettant”),¹³⁰ and still seems incapable of a proper structure to his treatise,¹³¹ Reinhardt is clearly not a fan of the methods employed to find the sources Cicero supposedly used: “what adventurous rearrangements, divisions and reconstructions this has led to!”¹³² He notes that there is of course a difference between judging literary merits and deducing the possible source in use for *On the Nature of the Gods*,¹³³ though he tends to combine both in making out Posidonius as one of the major sources for Cicero’s treatise.¹³⁴ While Cicero is lax in his description of Posidonian philosophy,¹³⁵ it’s the style the really seems to be getting to him. It is “overbearing with varied, restless, often exotic detail, tending, especially in Cicero’s translation [!] often towards the grotesque.”¹³⁶ Nevertheless, the depiction is lively and naively happy,¹³⁷ though, once again, Reinhardt’s Cicero turned to the language of the

128 Reinhardt 1921, 212: “leidenschaftlich und von kurzer Dauer, [...] die einzige Blüte, die er getrieben hat”.

129 Reinhardt 1921, 210, 215, 224.

130 Reinhardt 1921, 223.

131 Reinhardt 1921, 210f., 230.

132 Reinhardt 1921, 214: “zu was für abenteuerlichen Umstellungen, Trennungen und Konstruktionen hat das nicht veranlaßt!”.

133 Reinhardt 1921, 240.

134 Reinhardt 1921, 214: “and so one would have to turn away resignedly from Cicero, coming to the sad conclusion that, though he as well as Sextus might have incorporated small bits here and there of the great Rhodian’s teachings, Poseidonios’ ‘On the Nature of the Gods’ is indeed lost to us [...]. However, the second book of ‘De natura deorum’ remains one of the primary sources for learning about this great mind.”—“und so müßte sich denn, mit dieser negativen Erkenntnis, unsere Untersuchung resigniert von Cicero wieder abwenden, die Möglichkeit zwar offen lassen, daß bei ihm wie auch bei Sextus wohl das eine oder andere kleine Beiwerk von dem großen Rhodier stamme, aber darum doch nicht weniger mit der Gewißheit, daß uns das Werk des Poseidonios ‘Über die Götter’ ein für allemal verloren sei [...]. Und doch bleibt das zweite Buch ‘De natura deorum’ für die Erkenntnis dieses Geistes eine der ersten Quellen.”

135 Reinhardt 1921, 219, 245, 261.

136 Reinhardt 1921, 222: “bis zum Überfließen angefüllt mit einem seltsam bunten, unruhigen, oft exotischem Detail, daß es, zumal in Ciceros Übersetzung [!], hie und da hart ans Groteske streift.”

137 Reinhardt 1921, 223, 248.

courts where philosophical thought was too hard to grasp: “observation and proof make way to itemization and exclamation.”¹³⁸ And even where he calls Cicero’s style “oriented towards the classical and dignified” (“auf das Klassisch-Würdevolle gerichtet”),¹³⁹ recoiling from certain all-too-sordid details, the Posidonian nuggets scholars can glean from him are nothing more than “classical” fragments in a “Byzantine building.”¹⁴⁰ Though it is quite wrong, Reinhardt says, to distinguish between the philosopher and the writer,¹⁴¹ Cicero was, in the end, not a philosopher.¹⁴²

Ten years after Reinhardt, Finger’s attempt to separate three cosmological systems in *de Natura Deorum* II grants even more scope to the thought of Cicero’s writing philosophy. He also insists that there is no clear structure to speak of,¹⁴³ and that what Cicero says is not always as clear as it probably was in the Greek original, but he, unlike others before him, interprets that as a system. Cicero proceeded as he did, “because he wants to hide the things he cannot or will not say out loud.”¹⁴⁴ Finger rather admires Cicero’s literary merits with which “Cicero knows to mislead his readers and interpreters.”¹⁴⁵ His usage of the material depends on the needs and ends to which Cicero writes philosophy,¹⁴⁶ and he attributes to the Roman orator a thorough knowledge of same.¹⁴⁷

2.2 De Divinatione

There is little need to reiterate the judgment passed on Cicero’s *de Divinatione*, which basically hits the same marks as that on *de Natura Deorum*. There is, of course, that haste again,¹⁴⁸ coupled with Cicero’s lack of understanding or misrepresentation,¹⁴⁹ but the continuing search for the “noble Greek minds”

138 Reinhardt 1921, 248: “Aufzählung und Ausruf treten an die Stelle von Betrachtung und Beweis”.

139 Reinhardt 1921, 224.

140 Reinhardt 1921, 232.

141 Reinhardt 1921, 223.

142 Reinhardt 1921, 259.

143 Finger 1931, 181.

144 Finger 1931, 156: “weil es etwas verbergen will, etwas, was er nicht unverblümt sagen will oder kann.” Cf. 161f.

145 Finger 1931, 189: “Cicero [es] versteht, die Leser und auch die Erklärer bezüglich seiner ‘Arbeitsweise’ hinters Licht zu führen.”

146 Finger 1931, 169.

147 Finger 1931, 175f.

148 Hartfelder 1878, 13; Hoyer 1898, 46.

149 Hoyer 1898, 58; Finger 1929, 372.

sprouted stranger blossoms. There is, for instance, Hartfelder's assessment, echoed by Hoyer, that Cicero probably never even read Plato and Aristotle himself, but knew their philosophy only second hand. Such an opinion is strange indeed, not only in view of the numerous statements throughout the philosophical writings and the letters of the high esteem in which Cicero held Plato especially,¹⁵⁰ but also—more even—by the fact that Cicero had only shortly before turning to *de Divinatione* translated Plato's *Timaeus*.¹⁵¹ Hoyer recognizes this, but still insists, "even if Cicero translated Plato himself, he certainly did not understand him, considering the context, or deliberately seeks to mislead."¹⁵² It is telling that scholars insisted on removing Cicero as far as possible from those "noble Greek minds" they thought were buried under Ciceronian wordiness, by granting him not even first-hand knowledge of his beloved Plato, which might be an insistence that no serious student of philosophy could misunderstand Plato as woefully as it was thought that Cicero did. It seemed better, and easier, to accuse Cicero of intentionally misleading his readers rather than asking for the intent behind Cicero's usage of Plato. And while it has always been admitted that *de Re Publica* and *de Legibus*, despite their clear precedent in Platonic writings, are writings similar to Plato almost exclusively in title,¹⁵³ it is interesting, to say the least, that in these instances, Hartfelder and Hoyer should insist on citations in the letter rather than the spirit.

However, Hartfelder does recognize that Cicero never meant the much-cited ἀπόγραφα to be taken literally, but that he was rather drawing on Greek philosophy as he saw fit, exercising his own *iudicium* and introducing Roman material to clarify certain passages wherever necessary.¹⁵⁴ He also allows that Cicero was quite able to draw on both the philosophical studies that he had, after all, pursued since youth, "although these were more extensive than intensive,"¹⁵⁵ and his formidable memory. His method he describes as "a more popular way of writing philosophy without relinquishing academic earnestness," citing Philo of Larissa as a possible model.¹⁵⁶ Cicero would certainly sign on to such a description, though he might have taken exception at Hartfelder's statement

150 Hartfelder 1877, 1. Cf. Degraff 1940; Douglas 1962.

151 Cf. MacKendrick 1989, 183.

152 Hoyer 1898, 58: "dass Cicero die Uebersetzung aus Platon selbst gemacht hat—verstanden hat er sei bei der falschen Anwendung jedenfalls nicht, oder er sucht absichtlich zu täuschen."

153 Cf. Nickel's introduction to Cic. *de Re Publica*, 2010, 43ff.

154 Hartfelder 1877, 1. 13.

155 Hartfelder 1877, 12: "wenn sie auch mehr in die Breite als in die Tiefe gingen."

156 Hartfelder 1877, 11 with reference to Cic. *Tusc.* II 26.

that divination was never mentioned before §125 in book II of *de Divinatione* as taking its origin in the gods.¹⁵⁷ All the examples the literary Quintus Cicero cites, and his very definition of divination, make clear that divination is *primarily* rooted in the will of the gods. Should we therefore not take this instance as an example of not seeing the forest for the trees, i.e., the meaning for the words?

As lenient as Hartfelder is, once Hoyer has his say on Cicero's sources, we are, unsurprisingly, back to chaotic,¹⁵⁸ unsystematic,¹⁵⁹ disruptive,¹⁶⁰ and without understanding for the subject under discussion. His style too is dissociative and quite the test for the reader's (or at least, Hoyer's) patience.¹⁶¹ While focused on that, Hoyer fails to see the changed conditions under which divination is considered in book I and book II¹⁶² (though others have done so as well),¹⁶³ and it is telling that he makes no distinction whatsoever between Greek and Roman mantic practices, but easily substitutes the one for the other.¹⁶⁴ He strings *haruspices*, *omina*, *augures* and *manteis* together as if all belonged to, and were mentioned in, the source Hoyer claims as the original for *de Divinatione*, i.e., once again, Antiochus.¹⁶⁵

Finger certainly made an attempt to distinguish, in his case, the two mantic systems in Cicero's two books on divination, just as in 1931, two years later, he found three cosmological systems in the three books on the nature of the gods. And his starting point is certainly fair enough. He says, "as concerns the content of Cicero's *de divinatione* I, we first have to ask ourselves: What did Cicero want to say and what did the authors he used say? The one is not always the same as the other."¹⁶⁶ It would have been nice if he had actually kept his mantic systems apart, too, as he also, like Hoyer before him, happily equates Greek

157 Hartfelder 1877, 13.

158 Hoyer 1898, 55. 59f.

159 Hoyer 1898, 57, 59, he even seems to forget, so Hoyer feels, his own plan of going forward, 62.

160 Hoyer 1898, 58.

161 Hoyer 1898, 60f.

162 Hoyer 1898, 63.

163 Cf. Begemann 2012, 95.

164 Hoyer 1898, 59.

165 Hoyer 1898, 64. Hoyer's treatment of *de fato* is much too short to warrant any further discussion.

166 Finger 1929, 371: "Was den Inhalt der Schrift Ciceros de divinatione I anlangt, so müssen wir zunächst fragen: Was hat Cicero lehren wollen und was haben die von ihm benutzten Autoren gelehrt? Denn beides stimmt durchaus nicht immer überein."

with Roman divination, so that we shouldn't be surprised to hear of Corinthian *augures*. But while he doesn't go *that* far, what he is most interested in is the difference between artificial and natural divination, a distinction that Cicero introduced in *de Div.* I 11f. and repeated in I 34 and II 13. Doing so, he falls into the same trap others could not avoid either, equating "divine world order"¹⁶⁷ with *fatum*—again, a far cry from Ciceronian usage. Moreover, he applies the distinction between artificial and natural divination also to the three sources that Quintus claims as origins of divination: *a deo*, *a fato* and *a natura*, a distinction Cicero does not make.¹⁶⁸ Finger describes Cicero methods as follows:

Concerning Cicero's method, he usually blends the teachings of one philosopher with those of another, but the reader is not always supposed to notice that foreign content has been introduced. He tears apart, chops up, glues back together, bends, hides, obscures, and conceals, so that it is very difficult to discern the real content of the source he used.¹⁶⁹

In Finger's eyes, Cicero's writing philosophy becomes downright sneaky, and one wonders how such a method tallies with the supposed haste with which Cicero composed his treatises. However, Finger makes an interesting point on the side, which has recently been picked up by Ingo Gildenhard. He says: "If success depends entirely upon divine will, intellectual capacity is not enough, the moral element of the one observing the signs must also be taken into account."¹⁷⁰ While Finger leaves it at that, Gildenhard goes into more detail,¹⁷¹

¹⁶⁷ Finger 1929, 376.

¹⁶⁸ Finger 1929, 374, cf. Cic. *de Div.* I 125.

¹⁶⁹ Finger 1929, 372. Cf. MacKendrick 1989, 198: "One of the most overingenious of the German source-hunters, [Finger 1929] after positing an elaborate structure of authorities, complains that so much scissors and paste, so much ungluing and repatching distorts, conceals, obscures and represses, making *Quellenforschung* very difficult!" MacKendrick's book, *The Philosophical Books of Cicero*, published in collaboration with Karen Lee Singh, is a valuable tool for an overview over Ciceronian philosophical writings. After a brief outline of the life of Cicero and the philosophical *status quo* in the first century B.C., each book is introduced in turn as an annotated general outline of the text with remarks about the date of composition, the *dramatis personae* and the setting, followed by comments about sources and originality, which are carefully phrased and reflect the general conclusions to which scholars have come.

¹⁷⁰ Finger 1929, 380: "Wenn das Gelingen ganz vom Willen Gottes abhängt, dann genügt intellektuelle Eignung nicht, es muss auch die moralische Eignung des die Vorzeichen Befragenden dazukommen."

¹⁷¹ Gildenhard 2011, 306ff. with reference to the speech *de domo sua*.

stating that such thought is hardly Roman, but nevertheless a valid argument to be used before the college of pontiffs against Clodius in negotiations of religious power. While Finger makes this out to be one of many mistakes and misunderstandings, it is hardly that: Cicero made the point because it said what he felt was lacking in the theology he developed in the Triad, a theology in which human and divine *boni* work together to achieve the best possible ends for the *res publica*, devoid of *superstitio* and devoid of a cynical use of religion by those (i.e., *populares* in the widest sense) who knew their own needs better than the needs of the *res publica*. Again, *Quellenforschung* and reading Cicero for Cicero are two quite different things.

2.3 De Fato

The last book in the Theological Triad is Cicero's *de Fato*, written between April and June 44.¹⁷² The treatise is much shorter and much more technical than either *de Natura Deorum* or *de Divinatione*,¹⁷³ full of detail surrounding the ancient debate of determinism vs. chance. But the objections to Cicero's treatment of the problem don't vary. Again, Cicero willfully disrupts¹⁷⁴ and patches together otherwise coherent arguments,¹⁷⁵ inserting others where they do not fit,¹⁷⁶ and complicating the argument for posterity by his translations and shortcuts.¹⁷⁷ In doing so, he does not even notice when he accidentally defends Epicurus, surely one thing we would never expect of Cicero: "Cicero falls into a defense of Epicurus, which is obviously the same one he cites extensively in the second part."¹⁷⁸ Alas, there is no reason to suppose that he did. The context cited is the discussion of the truth value of future-oriented statements,¹⁷⁹ and Cicero is as short with Epicurus and his falling atoms, as well as his denial of the *tertium non datur*, as he always is. Schmekel in his *Philosophie der*

¹⁷² Cf. Giomini 1975, 13; Wardle 2006, 43; Schallenberg 2008, 41.

¹⁷³ Schofield 1986, 50.

¹⁷⁴ Schmekel 1892, 88.

¹⁷⁵ Schmekel 1892, 89. 102: Cicero "used his sources as he saw fit"—"benutzt seine Quellen, wie es ihm passend war."

¹⁷⁶ Schmekel 1892, 96.

¹⁷⁷ Schmekel 1892, 170 n. 2. 98: "They only differ in that Sextus offers a well-structured account while Cicero obviously draws his sources together in such a way as to only mention the major points."—"Sie unterscheiden sich nur dadurch, dass Sextus einen wohlgefügten Bericht über dieselbe bietet, Cicero aber offensichtlich seine Quelle sehr zusammenzieht und im wesentlichen nur die Resultate der Hauptpunkte giebt."

¹⁷⁸ "Cicero gerät hier nämlich in einer Verteidigung Epikurs, die augenscheinlich dieselbe ist wie die, welcher er im zweiten Teile ausführlich giebt", Schmekel 1892, 175.

¹⁷⁹ *Cic. fat.* 18–20.

*mittleren Stoa in ihrem geschichtlichen Zusammenhange*¹⁸⁰ notes “unevenness” (“Unebenheiten”) in the text, which he attributes to translating “the Greek technical terms of his source” (“die griechischen Kunstausdrücke seiner Quelle”),¹⁸¹ meaning that clarity of expression or a natural language fall by the wayside. But, although he does not believe that Cicero worked independently,¹⁸² he grants that the great Roman quite knew what he was doing and what he was talking about,¹⁸³ even that Cicero presents the problem—in comparison with Plutarch—“extensively” (“in aller Ausführlichkeit”).¹⁸⁴

In 1906, Adolph Lörcher dedicated his dissertation to the study of the composition and sources of *de Fato*. Antiochus, Clitomachus, Panaetius and Posidonius are the names put forth, though Lörcher ultimately claims that even the composition of the text was taken from Antiochus.¹⁸⁵ While he laments that there is little of Cicero himself in the treatise, making it difficult to say anything with certainty about his own stance or the discussions of his own day, that is once again a claim that can—as far as Cicero himself goes—hardly be substantiated, for the entire discussion of the problem of fate is put forth in such a way as to convince Cicero’s honest reader that there is no trace of his upholding the doctrine, or believing in such a thing as, fate.¹⁸⁶ Lörcher judges Cicero to be “counted among the sources for the history of the philosophers, not among the philosophers themselves.”¹⁸⁷ Though there are the usual contradictions in the text,¹⁸⁸ lapses of memory,¹⁸⁹ fragmentary arguments,¹⁹⁰ and faulty introductions of material which interrupt an otherwise sound strand

180 *De fato* is discussed as the source for Carneadan-Clitomachean philosophy.

181 Schmekel 1892, 94.

182 Schmekel 1892, 93: “Cicero elaborates on theses proofs, but certainly not on his own esteem.” — “Cicero spinnt diese Beweise weit aus, sicherlich nicht von sich selbst.”

183 Schmekel 1892, 175: “Since it is not allowed to assume that Cicero did not understand at all what and how he wrote, this transition proves that Cicero purposely did not finish the first part, but interrupted it.” — “Da es unstatthaft ist anzunehmen, dass Cicero überhaupt nicht verstanden habe, was und wie er schrieb, so beweist dieser Uebergang, dass Cicero auch hier mit Absicht den ersten Teil nicht zu Ende geführt, sondern abgebrochen hat.”

184 Schmekel 1892, 182.

185 Lörcher 1906, 375.

186 E.g., Cic. *fat.* 21.

187 Lörcher 1906, 339: “inter fontes historiae philosophorum numerandus est, non inter ipsos philosophos”.

188 Lörcher 1906, 361.

189 Lörcher 1906, 369.

190 Lörcher 1906, 370.

of reasoning,¹⁹¹ Lörcher also describes Cicero as diligent and well-versed in philosophy, though he always remained a student and guest of Greek philosophical schools, echoing again the claim that there is no original thought in Ciceronian philosophy. However, “it is by now quite obvious, how much time and effort Cicero dedicated to the question of fate.”¹⁹² He believes that what is being said against Posidonius in §5 is Cicero’s own thought,¹⁹³ and that there is a certain elegance to the entire composition, disrupted though it may be.¹⁹⁴ Then again, other parts are “inept” (*ineptus*), “childish” (*puerilis*), and not worthy of a true philosopher in argumentation (therefore, again, being Cicero’s own additions or attempts at philosophizing, rather than anything Chrysippus could have written),¹⁹⁵ unsound in thought,¹⁹⁶ and full of error.¹⁹⁷ Lörcher really seems to be of two minds concerning the merits and shortcomings of Cicero’s *de Fato*, although he is ruthless in his final judgment: Cicero was not capable of independent philosophical thought, and wherever there was no one to copy from, he relapsed into “rhetorical questions, excessive wordiness and other oratorical tricks.”¹⁹⁸ He was, after all, only a rhetor.

3 Cicero’s Theology

In the aftermath of the re-discovery of Hellenistic philosophers, and weighed down by the heavy judgment of Drumann and Mommsen, Cicero’s reputation was severely damaged. From being one of the most respected philosophers of antiquity¹⁹⁹—thanks in large part to those church fathers who, like Augustine and Origen, ascribed their conversions and thought constructs to Cicero

191 Lörcher 1906, 351.

192 Lörcher 1906, 344: “satis igitur apertum est, quantum studii et operae Cicero huic quaestioni [de fato] dederit”.

193 Lörcher 1906, 346.

194 Lörcher 1906, 349.

195 Lörcher 1906, 352.

196 Lörcher 1906, 355f.

197 Lörcher 1906, 354.

198 Lörcher 1906, 383: “quaestiones rhetoricas et copiam verborum ceterasque artes oratorias”.

199 Cf. Schmidt 1979, 117: “In the 19th century, impregnated by classicizing or romanticizing Hellenism, anti-traditional historicism and the cult of the original, the whole picture began to change drastically. Cicero’s fame in general abated, especially in the field of philosophy, where the immense success of German speculative, idealistic philosophy (Kant, Hegel) dwarfed the moral teacher of yesterday. The growing interest in Hellenistic philosophy, following and based upon the giants Plato and Aristotle, led almost inevitably

himself—he became a mere compiler of “better” Greek material. Redemption would follow, and first steps in that direction were soon made, though it is telling that they were taken not by German scholars, but in the French-speaking academic world.²⁰⁰

Cicero's rehabilitation was not easy. Overly harsh were the words coined about him, and the conviction among philologists that he was a mere compiler, a translator at best, but without original thought was deep-seated. And the eagerness with which judgment on his philosophical merits was passed was not without effect on the evaluation of his theological thought or conviction (or lack thereof) in general. The problem was exacerbated by the fact that it were by no means second-rate scholars who picked apart the philosophy he had “stitched together.”²⁰¹ For a good while, it was Hirzel, Reinhardt (both of them), Schiche and Schmekel who wrote the book, so to speak, on Ciceronian philosophy, and they were constantly referenced and referred to by anyone adding further notes to the symphony of Ciceronian philosophy-mangling. Again, it is certainly a worthy task to want to re-establish the lost sources of Hellenistic philosophers and increase the knowledge we have today of the intellectual landscape of the Late Republic. But it is risky to do so completely ignoring the fact that one reason these sources were no longer copied was the very fact that, since Cicero had done such a good job of presenting the different positions of the philosophical schools in his day, the lengthier and more technical originals were no longer felt to be needed. Reading Cicero was, for centuries, enough.²⁰²

Cicero's low standing as a philosopher also had effects on the way his religious conceptions were understood. In sifting through his theology to find the lost Hellenistic writings Cicero presumably used to compose said theology, the premise under which scholars labored was usually that he merely copied and/or translated his source material with minimal input of his own. Such an approach takes Greek and Roman religious traditions as equivalent and is typical for the time which determined religious traditions by presumed

to the dismemberment of a writer who, quite frankly, confessed his dependence upon Hellenistic sources.”

200 E.g., Albert Yon's publication of *de fato*, 1933, and especially Martin van den Bruwaene's *Théologie de Cicéron*, 1937. Cf. MacKendrick 1989, 4.

201 Finger 1931, 153.

202 In their 1990 edition of *de Natura Deorum*, Gerlach and Bayer, 850, draw attention to the fact that both Frederick the Great and the influential Prussian reformer Freiherr vom Stein knew and read Cicero's *de Natura Deorum*, the king drawing great comfort from it even in battle.

parallel before it defined the *status quo* of the religious landscape of any culture, something the great German scholar (and self-proclaimed Mommsen student) Georg Wissowa commented on.²⁰³ But there were significant differences between Roman and Greek religions (Wissowa so carefully dissected them in his *Religion und Kultus der Römer* that he remains a household name for scholars of Roman religion to this day), of which Cicero, for one, was very well aware while writing about theology in philosophical terms. Although the practical outlook of his philosophy was noted by some scholars,²⁰⁴ one mistake that has been carried well into the end of the twentieth century is, for example, that Cicero “overlooked” his misquoting of his brother’s definition of divination in book I *de Divinatione*,²⁰⁵ usually ascribed to that “hastiness” in composition.²⁰⁶ But may we not trust the rhetor, the man thoroughly schooled in the courts, the senate, and the forum, to know exactly the meaning of the word?²⁰⁷ By giving virtually *two* definitions of the phenomenon, Cicero picked up both currents of his day, one which he denied and one which he affirmed: a “Greek” one which accepted prophecy, and a “Roman” one which he restricted to divine affirmation or negation.²⁰⁸ By assuming, however, that Cicero merely transposed Greek religious phenomena into Latin, and thus carried over much of what is essentially culturally Greek into the Roman cultural and religious sphere, one stands in danger of painting a wrong picture of Roman religion and religious traditions, and, on our part, of misunderstanding Cicero as a source for the kind of theology he believed was needed for the *res publica* he wished Rome to be (see chapter 7, p. 178). Cicero’s theology demanded benevolent, involved deities for a functional, moral society, which would be met in cult and ritual—beyond any academic skepticism and any philosophical inquiry.²⁰⁹ But, since Cicero fell “an easy prey to the source hunters whose interest in the reconstruction of a postulated Greek original prevailed over the attempts to judge the correctness of his position or of the individual arguments given,”²¹⁰ to recognize what Cicero had in mind when composing the Theological Triad was difficult.

203 Cf. Wissowa 1902, viii.

204 See above.

205 Cic. *div.* I 9 vs. II 13.

206 I pick this specific example because it seems to me the most glaring piece of evidence of how much today’s reading of Cicero is still influenced by what has been written more than a hundred years ago.

207 Cf. Altman 2008, 107, who draws attention to these very discrepancies in the treatise.

208 Cf. Rüpke 2005.

209 Cic. *ND* III 5.

210 Schmidt 1979, 118.

In coming to a conclusion, let us take a look beyond the borders of German Academia, and consider Martin van den Bruwaene's *Théologie de Cicéron*, which was published in 1937. While he also saw a Greek source perpetually on Cicero's desk when writing philosophy,²¹¹ he is more sensitive to "the intentions of Cicero" ("les intentions de Cicéron") in his compositions and draws the attention of his readers to "the method announced in book I (Nat. Deor. I, 13): to expose the different theories" of the Greek philosophers.²¹² In pointing to this method, van den Bruwaene picks up a point which scholars before him had disregarded: that the philosophical treatises were never intended to be a *full* exposition of Greek philosophical thought, but that Cicero only wanted to provide for his Roman readers the general outline of current philosophical schools. That Gisela Striker needs to reiterate that very point in her 1995 essay is telling of the enormous damage that has been done to the figure of Cicero the philosopher: we are still recovering.

Consequently, many of the questions raised are still not conclusively answered today: Is Cicero to be equated with Cotta in *de Natura Deorum* or is he a much milder version of the dogmatic sceptic?²¹³ Is the Marcus Cicero of book II in *de Divinatione* to be taken as Cicero himself or is there a distinct difference between Cicero and his literary *alter ego*?²¹⁴ How to explain, then, the apparent discrepancy, (1) between Cicero the augur and a Cicero who actually denies divination, and (2) between his position on divination in the *de Legibus* and the *de Divinatione*?²¹⁵ Also, what to make of *de Fato*? In considering Cicero's position on religion, this one book is hardly ever considered, despite

211 Van den Bruwaene 1937, 84.

212 Van den Bruwaene 1937, 85: "la méthode annoncée au livre I (Nat. Deor. I, 13): exposer les différentes théories". Cf. Gordon Laing's review of van den Bruwaene: "while fully recognizing the dearth of new philosophical ideas in Cicero's works, he contends that to regard him as a mere compiler is a wholly mistaken idea, generally due to lack of familiarity with the works themselves. And it is doubtless true that many critics of Cicero's essays in philosophy have spent far more time in the investigation of the theories of the Greeks whom he used or is supposed to have used as sources than in reading the Ciceronian texts. [...] There is a much larger proportion of Cicero himself in there philosophical works than has generally been believed", 426f. Van den Bruwaene turns his attention to finding out how much there is of Cicero in the texts, also considering further writings, such as *de Legibus* and the *Tusculan Disputations* and, most importantly, the letters.

213 DeFilippo 2000.

214 Beard 1986; Schofield 1986. Cf. Krostenko 2000, Altman 2008.

215 Cf. Goar 1968; Beard 186.

Cicero's repeated insistence that the three books belong together.²¹⁶ Even after two thousand years, there is still so much in the texts to be found: "lost" originals are one thing, content is another.

In the end, while we no longer see Cicero as the "blundering corrupter of presumably faultless Greek originals,"²¹⁷ the question about Ciceronian religion is still just as open as Cicero left it, inviting us, in the best academic spirit, to regard both sides of the question, and to come, without dogmatic certainty, to the most probable conclusions about Cicero, his sources, and his fundamental treatment of religion in a philosophical context.

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²¹⁶ Van den Bruwaene's *Théologie de Cicéron* is a case on point: *de Fato* is not considered as belonging to 'theology'.

²¹⁷ Schmidt 1979, 118.

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PART 5

Cicero Divided



Roman Plato or Roman Demosthenes?

The Bifurcation of Cicero in Ancient Scholarship

Caroline Bishop

Before anyone read and responded to his works, Cicero was already modeling reception in his own right. Many of his literary works are adaptations of Greek classics, and as such, constitute important moments in the reception of Aratus, Plato, Aristotle, and Demosthenes, among others. These works of Ciceronian reception affected Cicero's reception in turn, in part thanks to the Roman scholars who commented on them. Like Cicero, these commentators also adapted Greek works for a Roman audience—in this case, from the genre of Greek scholarly commentary.¹ This joint interest in Greek literature and literary criticism often led to a symbiotic relationship between Roman scholars and the authors whose works they expounded: because Vergil, for example, modeled his *Aeneid* on the Homeric epics, his commentators turned to Homeric scholarship in order to reproduce the genre of epic commentary in Latin.²

Cicero, however, presented a more difficult case for scholarly reception: due to the variety of his works, he could not, like Vergil, be assimilated to any one overarching Greek model. Was he to be remembered primarily as a philosopher? An orator or a rhetorical theorist? A letter-writer? A poet? Roman use of the Greek commentary tradition meant that commentators were often constrained by the conventions that governed Greek exegesis, which had very different principles for interpreting, for example, oratory and philosophy. This paper will examine the effect these sorts of divergent hermeneutical principles had on Cicero's reception, focusing in on two moments of ancient scholarship that exemplify the divergence.

First, I will examine Quintus Asconius Pedianus' historical commentaries on Cicero's speeches, written during the Silver Age of Latin literature, when Cicero's rhetorical reputation was still in flux. The form of Asconius' commentary is

¹ The first few chapters of Suetonius' *De Grammaticis* (1–4) demonstrate the influence Greek learning had on Roman literary criticism. See also J. E. G. Zetzel (1981), *Latin Textual Criticism in Antiquity*, 10–26, and E. Rawson (1985), *Intellectual Life in the Late Roman Republic*, especially 54–83.

² J. Farrell (2008), "Servius and the Homeric Scholia," In *Servio: stratificazioni esegetiche e modelli culturali*, ed. S. Casali and F. Stok: 112–131.

closely linked to Demosthenes' commentary tradition, and his subtle comparison of Cicero to the Greek orator whose career saw the end of Athenian democracy is based on the notion, already articulated in the *Brutus*, that Cicero was the paradigmatic, and final, orator of the late Roman Republic. I will then turn to the philosophical commentary of Macrobius on the *Somnium Scipionis*, written over three hundred years later, which envisions a very different Cicero. Macrobius borrows his approach from the Neoplatonic commentaries of late antiquity, and for him, Cicero is the Roman Plato, an all-seeing philosopher who freighted the *De Re Publica* with deep allegorical significance. Just as Plato's philosophy belongs to a different genre than Demosthenes' speeches, Macrobius' construction of Cicero as an omniscient teacher of wisdom bears little resemblance to Asconius' master orator and politician.³

Both versions of Cicero, conditioned by his comparison to a Greek model, have played a role in his reception, though each has waxed and waned in popularity in accordance with the changing tastes of the time. In my conclusion, I will consider how each has shaped the way we read Cicero today, and what they tell us, both about Cicero, and about the ways in which we choose to construct him.

Roman Demosthenes: Asconius' Cicero

In the decades that followed Cicero's death—and indeed, the decade or so preceding it—it was by no means assured that he would be remembered as the paragon of Roman prose style he later became. In fact, though Cicero's eloquence was acknowledged in a vague way, during the early decades of the empire more focus was placed on his significance as a historical figure, as his resistance to and eventual defeat at the hands of Antony became a symbol for the disintegration of the Republic.⁴ Ironically, at the same time, his oratorical style fell out of favor and his speeches were not widely read. Asconius' commentaries, which likely covered Cicero's entire oratorical corpus, may have

3 Though in fact, for Cicero Plato and Demosthenes were quite closely related; in both *Brutus* (121) and *Orator* (15), he approvingly cites Demosthenes' (pseudonymous) letter collection as proof that he had been one of Plato's students.

4 This aspect of Cicero's reception is discussed in A. M. Gowing (2005), *Empire and Memory: the Representation of the Roman Republic in Imperial Culture*, *passim*. Cicero's historical and rhetorical reception in this period is discussed in T. Zielinski (1908), *Cicero im Wandel der Jahrhunderte*, 11–43, and D. G. Gambet (1963), *Cicero's Reputation from 43 B.C. to A.D. 79*, Ph.D. dissertation, University of Pennsylvania.

been intended to reverse this trend by facilitating reading and study of the speeches.⁵ Furthermore, Asconius' defensive posture and obvious reverence for Cicero make it clear that one of his goals was to rehabilitate Cicero as an orator after a period of neglect and criticism.

Yet though his attitude towards Cicero was quite different from that of many of his peers, Asconius was still very much a product of his times: his commentaries focus much more on Cicero's historical significance than his rhetoric. In this they also resemble contemporary Demosthenes scholarship, which was more interested in recreating the classical Athenian society in which he lived than in explaining his rhetorical effects. The confluence between the two types of commentary suggests that for Asconius Cicero represented a Roman version of Demosthenes: the last great orator of the vanished Republic, just as Demosthenes had been the last orator of democratic Athens.

Asconius' defense of Cicero in terms that recall Demosthenes corresponds to an equivalence already found in Cicero, who presents himself as a Roman Demosthenes at least partially in response to the waning of his stylistic popularity. As his dispute with the Atticists shows, by the mid-50s B.C.E., Cicero's oratorical style was under attack: his position as Rome's preeminent orator had left him vulnerable to oversaturation, resulting in a younger generation that viewed his oratory as both mainstream and passé. Eschewing Cicero's style, which they found overly periodic, bombastic, and verbose, they turned to the plain speech of Attic models, primarily Lysias.⁶ Cicero's rhetorical works of

5 Commentaries by Asconius on five of the speeches survive today: *In Pisonem*, *Pro Scauro*, *Pro Milone*, *Pro Cornelio*, and *In Toga Candida*. Since these speeches have little in common and are far from Cicero's "greatest hits", and since Asconius frequently refers in them to comments on other speeches that do not survive, it is usually assumed he commented upon a large percentage of the corpus, if not the entirety of it. See B. A. Marshall (1985), *An Historical Commentary on Asconius*, 1–21.

6 The Atticist movement seems to have arisen in the mid-50s, though its origins are uncertain. Scholars such as E. Norden (1898), *Die Antike Kunstprosa*, and U. von Wilamowitz-Moellendorf (1900), "Asianismus und Attizismus," *Hermes* 25: 1–52, attempted to pin it on Greek rhetoricians, and various originators have been suggested: the grammarian Philoxenus in A. Dihle (1977), "Der Beginn des Attizismus," *Antike und Abendland* 23: 162–77, Caecilius of Caleacte in N. O'Sullivan (1997), "Caecilius, the 'canons' of writers, and the origins of Atticism," in *Roman Eloquence: Rhetoric in Society and Literature*, ed. W. J. Dominik: 32–49. Yet the lucid account of J. Wisse (1995), "Greeks, Romans, and the Rise of Atticism," in *Greek Literary Theory after Aristotle: a collection of papers in honor of D. M. Schenkeveld*, ed. J. G. J. Abbenes, S. R. Slings, and I. Sluiter: 65–82, later refined in J. Wisse (2002), "The Intellectual Background of Cicero's Rhetorical Works," in *Brill's Companion to Cicero: Oratory and Rhetoric*, ed. J. M. May: 331–374 plausibly points to Romans like Calvus and Brutus themselves as its originators. For more on the movement, see J. Dugan (2001), "Preventing Ciceronianism: C. Licinius Calvus' Regimens

the mid-40s—*Brutus, Orator, De Optimo Genere Oratorum*—are a response to Atticist attacks on his oratorical reputation, and one of his primary strategies of self-defense involves the implicit comparison of his oratory to that of Demosthenes.⁷ The reasoning behind the strategy is simple: if the Atticists are looking for Greeks on whom to model their speeches, they should look not just to Lysias, but also to Demosthenes, another exemplar of classical Attic oratory. This, in turn, will lead them to further appreciate the oratory of Cicero, presented in these works as Demosthenes' Roman equivalent. This point is made most forcefully in a passage from *Orator*:

Sed tamen, quoniam et hunc tu oratorem cum eius studiosissimo Pammene, cum esses Athenis, totum diligentissime cognovisti nec eum dimittis e manibus et tamen nostra etiam lectitas, vides profecto illum multa perficere, nos multa conari, illum posse, nos velle quocumque modo causa postulet dicere.

Orator 105

But since you [Brutus] have studied [Demosthenes] thoroughly and with the utmost attentiveness with his devoted admirer Pammenes when you were in Athens, and you do not let him out of your hands, yet you also read my speeches frequently, you are certainly aware that where I try many things, he brings many things to perfection, that where I have the desire to speak in whatever way a case demands, he has the ability.

This passage recapitulates many of the elements that characterize Cicero's discussions of himself and Demosthenes in the rhetorica. Brutus, the work's addressee and an Atticist, is used here to model the Atticist admirer of Demosthenes that Cicero spends these works propounding. What is particularly notable, though, is the parallel Cicero creates between Demosthenes' works and his own. It is because Brutus reads Cicero just as he reads Demosthenes that he is presented as already knowing what distinguishes the two. Though both speakers make stylistic variety (*quocumque modo causa postulet*) their goal, only Demosthenes, with the benefit of hindsight afforded by time, can

for Sexual and Oratorical Self-Mastery," *Classical Philology* 96.4: 400–428, and A. E. Douglas (1973), "The Intellectual Background of Cicero's Rhetorica," In *Aufstieg und Niedergang der römischen Welt* 1.3: 95–138.

⁷ See, e.g., *Br.* 289; *Opt. Gen.* 12–13; *Or.* 100–112. A detailed account of this strategy can be found in C. B. Bishop (2011), *Greek Scholarship and Interpretation in the Works of Cicero*, Ph.D. dissertation, University of Pennsylvania, 160–184.

be definitively said to have succeeded; Cicero represents himself as trying and wishing (*conari, velle*) to do the same, but whether or not he has been successful is left, with the false modesty typical of Cicero's self-presentation in his later treatises, for others to judge. Nonetheless, Cicero's desire here is clear: he wants his readers to connect the dots, and give him the title of Roman Demosthenes.

The implicit comparison Cicero made between himself and Demosthenes became explicit in the years following his death. In Latin, Cicero's friend and biographer Cornelius Nepos seems to have treated the two in parallel lives (*NA* 15.28), while Livy recommended, in a letter to his son, reading Cicero, Demosthenes, and "whoever is most similar to Cicero and Demosthenes" (*IO* 10.1.39: *quisque esset Demostheni et Ciceroni simillimus*). In Greek, the Augustan critic Caecilius of Caleacte went so far as to write a stylistic comparison of the two.⁸ Some years later, Columella, in what may have already been a cliché, named Cicero second only to Demosthenes, Plato, and Homer (1. *prae*f. 28). Yet the idea of one as the direct counterpart to the other was by no means set in stone yet; indeed, it is not Cicero but his Atticist rival Calvus that Seneca the Elder compares to Demosthenes (*Contr.* 7.4.8).

Just as Seneca allows us to glimpse a time when Cicero was not the only Roman compared to Demosthenes, so too can we see glimpses of a time when Demosthenes was not the unquestioned master of the canon of Greek orators that he became during the Second Sophistic. In fact, evidence suggests that it was in the early Augustan period that he began his transition from one of the leading members of the rhetorical canon to its foremost one.⁹ Compared to the relative silence of earlier periods, at this point praise for him becomes effusive and frequent.¹⁰ It is also in this period that his extant commentary tradition begins, with the preservation of a papyrus by the Alexandrian scholar Didymus Chalcenterus (c. 63 B.C.E.–A.D. 10) containing pieces of commentaries on speeches 9–11 (*Third and Fourth Philippics, Reply to Philip's Letter*) and speech 13 (*On Organization*).¹¹ This papyrus was likely part of a larger work that

8 For this work, see Plutarch *Dem.* 3. Some scholars believe that Caecilius' work was the source for the comparison of the two orators at *Subl.* 12.4; see Gambet (1963) 87–89. Quintilian's comparison of the two (*IO* 10.1.105–112) is along similar lines.

9 For Demosthenes' early reputation, see C. Cooper (2000), "Philosophers, politics, academics: Demosthenes' rhetorical reputation in antiquity," In *Demosthenes: Statesman and Orator*, ed. Ian Worthington, and Bishop (2011) 130–148.

10 See, e.g., *IO* 10.1.76, *Subl.* 34.4, *DH Is.* 20, etc.

11 Text and translation of Didymus can be found in P. Harding (2006), *Didymus: on Demosthenes*, text with translation, introduction, and commentary.

commented upon the entirety of Demosthenes' rhetorical corpus, as Asconius' did on Cicero's.

Didymus was not the first Greek to comment on Demosthenes, as his (anonymous) references to earlier scholars indicate, and like other early commentators, the form his commentary took differs substantially from the surviving scholia, which likely originated in the late antique period.¹² While the scholia are focused on rhetoric and language, elucidating rhetorical figures and ambiguous expressions, Didymus largely provides historical background to the speeches: identifying key players, explaining references to classical Athenian institutions or daily life, and discussing dating and authenticity.¹³

A good example of Didymus' method can be found in his commentary for Demosthenes' *On Organization*. Didymus begins by arguing that while some people (presumably earlier commentators) include the speech among the *Philippics*, its failure to mention Philip at any point is a sign that this inclusion is wrong; in support of this he quotes from the speech to suggest that it may have been delivered after the peace with Philip had been made (13.17–40). Next, Didymus establishes the date of the work, arguing on the basis both of textual evidence and of relevant passages from the Athidographer Philochorus (13.40–62). In fact, other than dating and position in Demosthenes' corpus, he says, there is little scope for commentary on this particular speech, since "there is found in this speech nothing except (what) has received some mention in the (commentaries) before this."¹⁴ He does, however, briefly explain the meaning of the word ὁργάς (sacred land), which he glosses with examples from

12 Despite his references to earlier scholars, Didymus was not a mindless copier or compiler, and clearly utilized a wide range of sources. See Harding (2006) 31–39 and C. Gibson (2002), *Interpreting a Classic: Demosthenes and His Ancient Commentators*, 29–35, who counter the suggestion of M. Lossau (1967), *Untersuchungen zur antiken Demosthenesexegese* that Didymus merely copied preexisting Alexandrian scholarship.

13 A good overview of Didymus' work and its relationship to other ancient Demosthenes scholarship can be found in Gibson (2002) 13–75. The scholia format, which now constitutes the bulk of extant ancient scholarship, bears little resemblance to Hellenistic and Roman scholarship. Commentaries like those of Asconius and Didymus did not consist of marginal explanations, but were rather self-standing monographs. In late antiquity, as book technology moved from the papyrus to the codex, these monographs were compiled and abridged to form marginal scholia. For this process, see E. Dickey (2007), *Ancient Greek Scholarship*, 11–14. In the case of Demosthenes scholia, it is clear that a separate strand of rhetoricizing and philological commentary won out over Didymus' more historical approach.

14 13.62–14.2: ζητεῖται δ' ἐν τῷ λόγῳ οὐδὲν ὅτι μὴ λόγου τινὸς ἐν τοῖς πρὸ τοῦ τέτευχεν. Translation adapted from Harding (2006).

Athenian tragedy, Homer, and various Attidographers; this excursus, he argues, is necessary since in an earlier section he had used the dispute over the border of the ὀργάς between Athens and Megara to provide the speech's date (14.2–15.10).

As this summary shows, Didymus focuses on history to the exclusion of almost everything else, including Demosthenes' style; even when he did comment on language, it was only in order to better clarify historical circumstances. This historicizing approach to Demosthenes seems to have predominated in early commentaries, and was presumably related to the growing interest in classical Athens that eventually spawned the Second Sophistic, and in Demosthenes' role as its last great orator; the recent transition of Rome from Republic to Empire, which provided a parallel example of a state transitioning from democracy to monarchy, may have also had an effect.

Yet while Demosthenes' reputation was on the rise in the Augustan period among Greeks, Romans were growing less interested in Cicero (see chapter 7). It is in this context that Asconius' commentaries must be understood. By the early imperial period, Roman oratory had moved on fully from Cicero and was now centered on fashionable figures of the day such as the master advocate Cornelius Severus.¹⁵ This stylistic divergence was the cause of much of the early posthumous criticism against Cicero. Asinius Pollio, an early critic, seems to have been an Atticist, and much of his animus was directed against Cicero's style.¹⁶ His son, Asinius Gallus, was even more explicit about his stylistic distaste: a work comparing his father's style to Cicero's came down firmly on the side of the former (*NA* 17.1.1, *Pliny Ep.* 7.4.3). Others in the Augustan period also inveighed against Cicero's style, including the rhetorician Cestius Pius, who composed replies to famous speeches of Cicero (*Suas.* 7.2, *Contr.* 3 *pr.* 14–16). A generation or two later, the critic Larcius Licinius went so far as to title his critique of Cicero's style *Ciceromastix*, a reference to Zoilus of Amphipolis' polemic against Homer (*NA* 17.1.1). And, of course, though his primary aim may not have been to disparage Cicero, the younger Seneca represented perhaps the greatest challenge to his legacy; his virtuosity with a starkly anti-Ciceronian style (combined with the occasional critical reference to Cicero) proved extremely

15 M. Winterbottom (1982), "Cicero and the Silver Age," In *Eloquence et rhétorique chez Cicéron*, ed. W. Ludwig: 237–274, at 256–265; R. A. Kaster (1998), "Becoming 'CICERO,'" In *Style and Tradition: Studies in Honor of Wendell Clausen*, ed. P. E. Knox and C. Foss: 248–263, at 253–254; Gambet (1963).

16 See, e.g., *IO* 12.1.22. Both Seneca (*Ep.* 100.7) and Quintilian (*IO* 10.1.113) speak of Asinius' style in terms that recall Atticism.

influential on the next generation, as Quintilian notes with some asperity (IO 2.5.21–22).¹⁷

And these are only the critics of Cicero from this period that we know by name; the tradition of polemic against his style can also be inferred from statements made by his defenders. Tiro's criticism of Cato's speech *Pro Rhodiensibus*, for example, suggests an attempt to shore up Cicero's oratorical *bona fides* against those who preferred a more archaic style (NA 6.3). Quintilian, meanwhile, mentions in passing those who criticize the *partitio* of the *Pro Cluentio* (IO 4.5.11), and defends a passage from the *Pro Milone* that has been frequently deemed *frigere* (IO 4.2.59). Clearly, in the first few generations after Cicero's death, dislike for his style ran high, and it was quickly discarded as a model for budding orators.

At the same time, respect for Cicero's *historical* position as the Republican bulwark against (and ultimate martyr to) Antony was widespread. As the declamations on Cicero preserved by Seneca the Elder show, Cicero quickly became a culture hero for his spirited opposition to Antony and death at his hands: the declamations focus almost exclusively on the showdown between the two. These pieces, which always portray Antony as a villain, may have originated in the power struggles of the late triumviral period, and were certainly well established by the late Augustan period.¹⁸ Interestingly, though the declamations (and the contemporary histories of men who spent their young adult years having to compose such declamations) are written in a distinctively non-Ciceronian style, they praise Cicero as a figure of almost inhuman eloquence. Seneca himself calls Cicero's genius "the only thing Rome possesses that is equal to its empire" (*Contr.* 1 pr. 11: *illudque ingenium, quod solum populus Romanus par imperio suo habuit*) and the one example of Rome's ability to match or even exceed Greek oratory (*Contr.* 1 pr. 6). Cremutius Cordus, meanwhile, in discussing Cicero's death, mentions the indignity of cutting off his right hand, "that servant of divine eloquence" (*Suas.* 6.19: *manus dextra, divinae eloquentiae ministra*), while Livy claims that to properly sing the praises of Cicero would require another Cicero (*Suas.* 6.22).¹⁹

17 A. M. Gowing (2013), "Tully's Boat: Responses to Cicero in the imperial period," In *The Cambridge Companion to Cicero*, ed. Catherine Steel: 233–250, at 239–244, discusses Seneca's nuanced relationship towards Cicero.

18 See M. B. Roller (1997), "Color-Blindness: Cicero's Death, Declamation, and the Production of History," *Classical Philology* 92.2: 109–130, at 116–118. Kaster (1998) also provides a good account of the declamations. See also chapter 8, 203.

19 Seneca's remarks echo Caesar's praise of Cicero, which Cicero repeats at *Br.* 255.

This overblown praise for Cicero's historical actions and abstract appreciation for his eloquence represent a stage in the process of his canonization as the Roman orator *par excellence*.²⁰ In these early stages of canonization, Cicero's style was no longer preeminent and his speeches went through a period of relative unpopularity (*Contr.* 3 *pr.* 15), revealing in stark terms that he was being remembered not as an author, but as a symbol: as a man whose mastery of free speech had been unfairly silenced by Antony, he was an exemplum of everything Romans had lost with the coming of empire. For this iteration of Cicero, Demosthenes made a perfect *comparandum*: both served as the last of their line, and both represented the turning point away from the exercise of politically effective oratory to periods that saw the rise of declamation and epideictic.²¹

This confluence between Demosthenes' reputation and Cicero's, alongside Cicero's own attempts to paint himself as a Roman Demosthenes, may have led Asconius to turn to Demosthenes scholarship as a model for his own project. Asconius, like many Roman authors before him, was treading new ground with his commentaries; though the Greeks had been commenting on history and oratory for some time, few Roman commentaries on prose works existed.²² Moreover, Asconius (A.D. 3–88) was a deeply learned man, born at just the right time to reap the rewards of Rome's new position as the home of prominent Greek intellectuals such as Dionysius of Halicarnassus, Strabo, and Aristonicus of Alexandria.²³ In fact, it is not impossible that he knew Didymus' work specifically; his interest in defending the works of Cicero against critics may have made him familiar with Didymus' polemical response to Cicero's *De Re Publica*.²⁴

20 On this process, see Kaster (1998).

21 Cicero himself memorably paints "real" oratory—the oratory of Demosthenes—as ending after the end of free speech in Athens (*Br.* 37, 45).

22 As R. G. Lewis (2006), *Asconius: Commentaries on Speeches by Cicero*, xv notes, the most relevant Roman works were probably commentaries on legal texts like the XII Tables; the second and third books of *De Legibus* show how such legal commentary proceeded.

23 D. Dueck (2000), *Strabo of Amasia: A Greek Man of Letters in Augustan Rome*, 130–144, provides a good overview of Greek scholarly circles in Rome in this period.

24 Asconius mentions Cicero's detractors at *In tog. cand.* 94c. Didymus' polemic against Cicero, written in six books to match the length of *Rep.*, was rebutted by Suetonius, according to the *Suda* (s.v. Tragkyllos).

Whether or not Asconius was directly familiar with Didymus' work, its approach would have been congenial to him.²⁵ Just like Didymus with Demosthenes, Asconius approaches Cicero through a primarily historical lens. Only once, in his commentary on *Pro Cornelio*, does he comment on textual matters, and there only to insist that the use of *restituit* when *constituit* would be more historically accurate must have been a mistake of copyists, not Cicero himself (76c).²⁶ Linguistic matters, too, only arise once, in his discussion on *Pro Scauro*, where he admits he does not understand a word choice (*ac neque*) of Cicero, though he yields to his authority on the matter (24c). Indeed, even Cicero's mastery of rhetoric is only lightly discussed: at one point, Asconius writes off an obvious untruth on Cicero's part by noting that he was speaking *oratorio more, non historico* (*In Pis.* 13c), while in another case, he explains the disagreement between two directly contradictory passages from *Pro Cornelio* and *De Haruspicum Responsis* by attributing it to "the right allowed to the orator's craftiness, that, when there is need, he may use the same facts on both sides of the argument, or even in contradictory senses."²⁷

In addition to these generalizing comments, Asconius makes a few scattered remarks on Cicero's eloquence in a more specific sense. First, he notes that despite Cicero's unsteadiness in delivering *Pro Milone*, the written version was so perfectly composed that it is considered among his best works (42c). He also praises Cicero's *ars et scientia* in the composition of *Pro Cornelio*, but only insofar as he managed to plead the populist case of his defendant without damaging the *dignitas* of the optimates (61c); elsewhere in his commentary on this speech, he describes a passage where Cicero spoke *breviter et aperte*, though he does so mostly in order to excuse his own lack of commentary upon it (77c).

With the exception of these few instances where philological or rhetorical interests creep in, Asconius, like Didymus, focuses on identifying historical actors, explaining the workings of Republican institutions mentioned by Cicero, properly dating the speeches, and explaining their outcomes. Since

25 Lewis (2006) xv also points to the confluence between Asconius' and Didymus' commentaries.

26 On this see Zetzel (1981) 28–37, who makes the useful point that Roman scholars had less need of textual criticism than their Greek counterparts, since their canon was so much more recent.

27 *In Corn.* 62c: *esse oratoriae calliditatis ius ut, cum opus est, eisdem rebus ab utraque parte vel a contrariis utantur*. Translation adapted from Lewis (2006). Asconius' comments on the passage from *In Pisonem* echo Cicero's own distinction between history and oratory at *Br.* 42.

Asconius wrote less than a century after Cicero's death, comments on the authenticity of his speeches were probably unnecessary, but this is one of the only places where his method differs from Didymus.²⁸ In choosing to restrict himself to such historical concerns, Asconius shows that he ascribes to a vision of Cicero much in keeping with his broader reception in this period. Cicero's mastery of language and rhetoric receive only the briefest of nods, and then mostly in the abstract; note how Asconius speaks of *oratorio more* and of *oratoriae calliditatis ius*. Like the declaimers, he is not interested in examining the how and why of Cicero's eloquence; his eloquence is an almost incidental characteristic, so settled a fact as to not need further explanation. What Asconius seeks to do in these commentaries is recreate the vanished world of Republican politics. It is clear that he expects this to be the primary reason his readers are interested in Cicero's speeches in the first place, and in this respect, he likely knew his audience well.²⁹ It is thus no surprise that he may have turned to Demosthenic historical commentaries such as Didymus' for his inspiration; in this period, Demosthenes, too, was primarily remembered through a historical lens.

Where Asconius differs from many of the other authors and thinkers of his day is in his reverence for Cicero. Internal evidence suggests that the commentaries were written between A.D. 54–57, right when Seneca, with his anti-Ciceronian style, would have been in the ascendant. Cicero's reputation was likely under attack, and Asconius goes out of his way to defend him. As we have already seen, Asconius attributed what seem like lies on Cicero's part to his leeway as an orator, and found it so inconceivable that he could have committed an historical error that it was attributed to the speech's copyists. Similarly, he may have quibbled with Cicero's word choice, but in the end decided that he must accede to "the man's well-deserved authority" (24C: *moveor enim merita viri auctoritate*). Elsewhere, in a move clearly intended to answer criticism of Cicero's decision to defend Milo, he praises his *tanta constantia ac fides* in taking on such an impossible case for a friend (38C).

Indeed, much of Asconius' defense of Cicero seems motivated by specific criticisms: he often uses the generalizing formula *possit aliquis* to suggest, and

28 And even here he does note that the speeches supposedly delivered by Catiline and Antonius in reply to the *In toga candida* are in fact spurious works written by Cicero's detractors (93–94C).

29 In fact, Asconius' commentary is dedicated to his sons, who are described as too young to understand senatorial procedure (43–44C). This suggests that his wider audience was likely also young men unfamiliar with Republican history and institutions; see Marshall (1985) 32–36.

then counter, objections (e.g., 5–6C, 23C). It thus seems likely that his mention of anti-Ciceronian *obtrectatores* who authored and circulated speeches purporting to be by Catiline and Antonius (*In tog. cand.* 93–94C) reveals one of his chief reasons for taking up the project in the first place: to defend Cicero's reputation as Rome's foremost orator against any attack. In doing so, he, like Didymus with Demosthenes, painted a portrait of Cicero predicated on historical rather than rhetorical significance. Asconius' Cicero is certainly worth reading and remembering for his eloquence, but less for his own sake than for the past that he illuminates.

Roman Plato: Macrobius' Cicero

In the following generations, Cicero became celebrated again for his style, and Asconius' historical focus receded. But his propensity to explain away any perceived error by appealing to Cicero's *auctoritas* foreshadows a mode of reading that remained popular throughout the rest of antiquity. While Quintilian, an enthusiastic proponent of Cicero's style, did not share Asconius' interest in history, his hagiographic vision of Cicero as the name "not of a man, but of eloquence itself" (*IO* 10.1.112: *Cicero iam non hominis nomen, sed eloquentiae*) shares a great deal of fellow feeling with Asconius. Quintilian's reverent adoption of Cicero as a model can also be seen in the writings of his student Pliny and, later in the second century, in the imperial tutor Fronto.³⁰ Indeed, throughout this century, interest remained focused on Cicero's style, and particularly on his choice of words; as a now unquestioned authority on the Latin language, his usage played an important role in what authors of the period considered acceptable.³¹

While Cicero remained an important figure for those interested in the study of rhetoric in this period, he also gained increasing respect for his philosophical works, a trend that would eventually culminate in Macrobius' commentary. As the tradition represented by Asconius and the declaimers shows, in the

30 For Pliny's use of Cicero, see A. M. Riggsby (1995), "Pliny on Cicero and Oratory: Self-Fashioning in the Public Eye," *American Journal for Philology* 116: 123–135. For Fronto's opinion, see, e.g., *Ad M. Caes.* 4.3: *Hic tu fortasse iandudum requiras, quo in numero locem M. Tullium, qui caput atque fons Romanae facundiae cluet.*

31 See J. E. G. Zetzel (1973), "Emendavi ad Tironem: Some Thoughts on Scholarship in the second century A.D.," *Harvard Studies in Classical Philology* 77: 225–243; J. E. G. Zetzel (1974), "Statilius Maximus and Ciceronian Studies in the Antonine Age," *Bulletin of the Institute of Classical Studies* 21.1: 107–123.

generations immediately after Cicero's death, his literary works were relegated to a fairly marginal position. Seneca the Younger, it is clear, was familiar with Cicero's philosophica, but he was in the minority, and certainly did not think much of them; in this he was joined by Didymus, the only other author we hear of from this period to have treated the philosophical works. But in the years that followed Quintilian's canonization of Cicero as the Roman prose writer par excellence, interest in all his prose works increased.³² Aulus Gellius, for example, while drawing most of his references to Cicero from the speeches and rhetorical works, also shows signs of familiarity with nearly all the philosophical ones: he recounts anecdotes from *De Amicitia* (1.3, 8.6), *De Fato* (7.2), and the *Tusculan Disputations* (10.18); a quotation of Panaetius shows his familiarity with Cicero's comparable *De Officiis* (13.28); he corrects apparent mistakes in *De Divinatione* (4.11) and *De Gloria* (15.6); defends the style of *De Re Publica* against Seneca the Younger's critiques (12.2); and mines *De Re Publica* (1.22, 7.16), *De Divinatione* (15.13), and *De Finibus* (15.13) for unusual words. Though it is clear that these works were still not universally admired—*NA* 17.5 recounts the criticism of *De Amicitia* by an unnamed rhetorician—for the most part Gellius' Cicero is a man of unimpeachable authority in all his works. Gellius' contemporary Marcus Aurelius (admittedly a philosophically-inclined man himself) also quotes from the *Tusculan Disputations* (*Ep. ad M. Caes.* 4.4), while his eventual successor Alexander Severus supposedly read *De Officiis* and *De Re Publica* frequently (*Alex. Sev.* 30), suggesting that interest in Cicero's philosophy had become more widespread in this period.

This increased interest reached its peak with the rise of Christianity in the second and early third centuries: Christians made frequent use of Cicero's philosophy, praising his eloquence while using his works to critique pagan Roman culture.³³ Tertullian turned to the ethically-focused *Tusculan Disputations* (*Apol.* 50.14) for this purpose, while others found *De Natura Deorum* congenial for casting aspersions upon the Roman pantheon: Minucius Felix's *Octavius* borrows Cicero's Stoic arguments in support of Christianity, while using his Epicurean and Academic arguments to ridicule pagan religion. Arnobius also

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- 32 As S. MacCormack (2013), "Cicero in Late Antiquity," In *The Cambridge Companion to Cicero*, ed. Catherine Steel: 251–305, at 253, astutely puts it: "once Cicero's personal characteristics . . . were beginning to fade into the past, his intellectual presence became more distinct. Perhaps this shift describes one at least of the beginnings of late antiquity." See also Zielinski (1908) 107–109 and G. A. Kennedy (2002), "Cicero's Oratorical and Rhetorical Legacy," In *Brill's Companion to Cicero: Oratory and Rhetoric*, ed. J. M. May: 481–503, at 483.
- 33 MacCormack (2013); see also pp 255–282 for a broader account of views on Cicero in this period, and cf. Zielinski (1908) 109–159.

noted how well *De Natura Deorum* could support Christian arguments: indeed, if pagans actually read Cicero's philosophy instead of mining him for pretty phrases, he says, they would recognize this as well (*Adv. Nat.* 3.6). A similar attitude can be seen in Lactantius' use of *De Re Publica*, which he praises for its prescience on ethics while mounting a critique of its account of pagan Roman governance (see chapter 3). In Lactantius' eyes, Cicero was something of an intellectual ancestor to Christianity, and his views on ethics could be accepted so long as his pagan misapprehensions were corrected.³⁴ In this way Cicero became a figure of renewed importance, whose general notions about law, virtue, and justice were praised even while his more wrongheaded ideas on religion, politics, and philosophy served as evidence of paganism's deficiencies.

This trend continued in later generations, especially with Augustine, who mounts serious challenges against Cicero's political and philosophical beliefs, even while revealing that his engagement with Cicero's works ran deep.³⁵ Indeed, his knowledge of Cicero was so well known that when his student Eulogius, a rhetorician in Carthage, came upon a passage in one of Cicero's rhetorical works with which he had some difficulty, he dreamed that Augustine appeared to instruct him on its meaning (*De cura pro mort. ger.* 11.13). This Eulogius has long been identified as the Favonius Eulogius who wrote what may be the first extant commentary on Cicero's *Somnium Scipionis*, a brief work focused almost entirely on numerology and harmonics; whether or not that identification is secure, it is clear that Cicero was an object of great interest and study in the late fourth century.³⁶

34 This idea is expressed well at *Div. Inst.* 3.13.13: *uellem igitur Ciceronem paulisper ab inferis surgere, ut uir eloquentissimus ab homunculo non diserto doceretur: primum quidnam sit quod laudandum putet qui uituperat id studium quod uocatur philosophia; deinde neque illam esse artem qua uirtus et iustitia discatur nec aliam ullam, sicut putauit; postremo quoniam est uirtutis disciplina, ubi quaerenda sit, cum ab illo discendi genere discesseris, quod ille non audiendi discendi que gratia quaerebat. a quo enim posset audire, cum sciret id nemo?*

35 For Augustine's use of Cicero, see H. Hagendahl (1967), *Augustine and the Latin Classics*, 35–169. Briefer accounts can be found in J. O'Donnell (1980), "Augustine's Classical Readings," *Recherches Augustiniennes* xv: 144–175, at 151–157, and D. Shanzer (2012), "Augustine and the Latin Classics," In *A Companion to Augustine*, ed. Mark Vessey: 161–174, at 165–168.

36 For a good summary of Favonius Eulogius' commentary, see S. Gersh (1986) *Middle Platonism and Neoplatonism: The Latin Tradition*, 737–746. It is difficult to determine whether his or Macrobius' commentary was written first.

In fact, Eulogius' commentary represents another strand of late antique thinking about Cicero. In this work, Cicero is presented as a master of Neoplatonic doctrine, whose wise but arcane theories are in need of explanation. Whether or not Eulogius was a Christian, his approach resembles that of many later Christian authors, who had begun to excuse Cicero's paganism in favor of citing him as an authority on various ethical issues. Jerome and Ambrose offer two examples: for them Cicero was in large part a figure to be praised, both for the beauty of his Latin, and for the more admirable sentiments on display in his philosophy.³⁷

This mode of reading Cicero is on full display in Macrobius, for whom he is no less than an omniscient philosopher.³⁸ Macrobius, though very likely Christian, had an antiquarian's reverence for the pagan past, and particularly for its intellectual culture, as represented by the men he considered its greatest authors, Cicero and Vergil.³⁹ In his own works he sought to explicate their consummate wisdom: for Cicero in his lengthy *Commentary on the Dream of Scipio*, and for Vergil (and, on occasion, Cicero too) in his *Saturnalia*. Yet it was not just the culture of the Roman past that caught his attention; he also had an interest in Hellenic culture, particularly the Neoplatonic thought of Plotinus and Porphyry.⁴⁰

In these two works, and especially in the commentary, Macrobius combines his interests in Neoplatonism and the authors of the Roman past. While Greek

37 Though even here, such acceptance was not without its reservations, as, for example, in Jerome's dream, where he is chastised with the famous *Ciceronianus es, non Christianus* (*Ep.* 22.30).

38 So, e.g., Macrobius claims that Cicero managed to include every philosophical belief on the nature of the soul in his brief description at *Rep.* 6.16 (*In Somn. Scip.* 1.14.19). But even he preserves the critical strain against Cicero's philosophy, having Evangelus, arguably the villain of the *Saturnalia*, criticize *De Natura Deorum*, *De Divinatione*, and *De Fato* (*Sat.* 1.24.24).

39 On the question of Macrobius' date and religious orientation, see A. Cameron (1966), "The Date and Identity of Macrobius," *Journal of Roman Studies* 56.1–2: 25–38, updated and expanded in A. Cameron (2011), *The Last Pagans of Rome*, 231–272, and R. A. Kaster (2011), *Macrobius: Saturnalia, Volume 1: Books 1–2*, xxi–xxiv. Both offer convincing arguments for Christianity.

40 On Macrobius' Neoplatonism, see, e.g., J. Flamant (1977), *Macrobe et le Néo-Platonisme latin, à la fin du IV^e siècle*; P. P. Courcelle (1969), *Late Latin Writers and Their Greek Sources*, trans. Harry E. Wedeck; Gersh (1986), and R. D. Lambertson (1985) *Homer the Theologian: Neoplatonist Allegorical Reading and the Growth of the Epic Tradition*, 263–273. For Macrobius' knowledge of Greek, see Kaster (2011) xi–xii and Courcelle (1969) 18–26.

Neoplatonists had commented extensively on Plato and Homer, Macrobius takes a different but related route: he translates and compiles Neoplatonic thought on Plato and Homer and applies its insights to appropriate Roman equivalents.⁴¹ Vergil had long been seen as the Roman Homer, and scholarly writing on him had always tended to follow Homeric models; in fact, Macrobius devotes a large chunk of the *Saturnalia* to comparing the two and providing Vergil with a properly Homeric exegetical apparatus.⁴² But Cicero was a different matter. He had drawn on many Greek models, and, as we saw, for Asconius, as for later pagan authors, it was his Demosthenic qualities that predominated.⁴³ But Macrobius was a Neoplatonic thinker writing after a long Christian tradition of interest in Cicero's philosophy. In this context it was easy to see that *De Re Publica*, with its ties to Plato's magnum opus, made Cicero a suitable candidate for a Roman Plato.⁴⁴

Yet here, too, Cicero's commentator was only following cues left by Cicero himself. Indeed, his three Platonizing dialogues (*De Oratore*, *De Re Publica*, *De Legibus*) are full of references to their Platonic predecessors, though Cicero also took care to distance himself from Plato's abstraction and reliance on theory. This ambivalence can be seen well in an exchange between Marcus Cicero and his brother Quintus in *De Legibus*, a work that explicitly takes its inspiration from Plato's *Laws*, just like *De Re Publica* had followed the *Republic* (*Leg.* 1.15):

41 This was likely not a novel decision: others such as Marius Victorinus and Cornelius Labeo imported Neoplatonism into Latin. Indeed, Victorinus may well have applied Neoplatonic commentary to Cicero; his commentary on *De Inventione* survives, and Jerome credits him with unspecified "commentaries on the dialogues of Cicero" (*Contr. Ruf.* 1.16). Favonius Eulogius also takes an equivalence between Cicero and Plato as his jumping off point (1.5 Holder), but does not sustain the comparison in as much detail as Macrobius. Wherever this tradition originated (difficult to say without further evidence), the decision to apply Platonic commentary to Cicero was an interesting and innovative one, and mentions of "Macrobius'" innovation should be read as shorthand for the innovation of the Roman scholarly tradition.

42 For Macrobius, Vergil is *Homerus vester Mantuanus* (*Sat.* 1.16.43), and the two are extensively compared, most fully at *Sat.* 5.2.4–5.17.4. On the phenomenon more broadly, see Farrell (2008).

43 Macrobius does compare Cicero and Demosthenes obliquely at *Sat.* 4.4.13, and may have done so at greater length in the section on rhetoric in that work, which is now lost.

44 On this phenomenon note also S. Gersh (2002), "The Medieval Legacy from Ancient Platonism," In *The Platonic Tradition in the Middle Ages: A Doxographic Approach*, ed. S. Gersh, M. J. F. M. Hoenen: 3–30, at 19–20.

Q: nihil enim tam dissimile quam vel ea quae ante dixisti, vel hoc ipsum de dis exordium. unum illud mihi videris imitari, orationis genus.

M: Velle fortasse: quis enim id potest aut umquam poterit imitari? Nam sententias interpretari perfacile est, quod quidem ego facerem, nisi plane esse vellem meus; quid enim negoti est eadem prope verbis eisdem conversa dicere?

De Legibus 2.17

Quintus: There is nothing so dissimilar [to Plato] as those things that you said before, or this exordium about the gods. The only thing you seem to me to imitate is his style.

Marcus: Wish to, perhaps: truly, who can or ever will be able to imitate it? But it's quite easy to translate his ideas—and indeed I would do so, except that I wish to be completely myself. Really, what trouble is it to say the same things, rendered in nearly the same words?

This passage distills the major tension of Cicero's three Platonic works.⁴⁵ All three include structural reminiscences of Plato—*De Re Publica* and *De Legibus* on a grand scale, but also in smaller details (e.g., the imitation of Plato's *Phaedrus* in the openings of *De Oratore* and *De Legibus*, and Cicero's removal of Scaevola at the end of Book One of *De Oratore* in an homage to Cephalus' departure in Book One of the *Republic*).⁴⁶ At the same time, Cicero also distances himself from Plato in these works, denigrating his "unrealistic" approach to law and governance, as at *Rep.* 2.52, where his interlocutor Scipio Aemilianus opposes his project to Plato's by asserting that he is not interested in the "shadowy likeness of a state" which could never exist, but "the most glorious commonwealth" (i.e., Rome).⁴⁷ Clearly, while Cicero wanted his Platonic references to be recognized, he did not want too close an equivalence to be

45 It is worth noting, in passing, that as in his comparison to Demosthenes, here Cicero claims only a wish (*velle*) to be Plato's equivalent, leaving it to Quintus to make the overt comparison.

46 T. B. Degraff (1940), "Plato in Cicero," *Classical Philology* 35.2: 143–153, and Gersh (1986) 53–154 provide thorough accounts of Cicero's use of Plato. Further discussions can be found in A. A. Long (1995), "Cicero's Plato and Aristotle," In *Cicero the Philosopher*, ed. J. G. F. Powell: 37–62, and Bishop (2011) 79–126.

47 *Rep.* 2.52: [Plato] *civitatemque optandam magis quam sperandam, quam minimam potuit, non quae posset esse, sed in qua ratio rerum civilium perspici posset effecit. Ego autem, si modo consequi potuero, rationibus eisdem quas ille vidit, non in umbra et imagine civitatis, sed in amplissima re publica, enitar ut cuiusque et boni publici et mali causam tamquam virgula videar attingere.* Cf. *Rep.* 2.3, 2.21–22, and *De Or.* 1.224.

made; if he was a Roman Plato, it was because he had brought Roman practicality to bear on Plato's philosophy, thus improving on the original.

Distancing himself from Plato may have been Cicero's attempt to ensure a positive Roman reception for his philosophy: Plato may have been the most popular Greek philosopher (*TD* 2.8), but he was still a philosopher, a discipline with which Romans remained uneasy. Cicero's early reception seems to have borne the wisdom of this equivocation out: until Christianity imposed a new ethical and religious system on the Roman world, his philosophy remained largely ignored, despite occasional pockets of interest.

Yet after the Christian revolution, such equivocation was unnecessary; certainly for Macrobius, the equivalence between Cicero and Plato is unproblematic. As he explains, perhaps drawing on *Rep.* 2.52 above, though *De Re Publica* and *Republic* differ in their main purpose—Plato describing an ideal state, Cicero focusing on the government of his forefathers (1.1.1)—each ends with an eschatological vision (1.1.2). This is why Macrobius proposes to comment upon the *Somnium Scipionis*: because it is here that Cicero comes closest to being a Roman Plato. The first few chapters of his commentary are devoted to explaining the similarities between the two works (1.1.4–1.2.12), and it is because of this basic equivalence, Macrobius asserts, that his commentary must be written in the first place: someone has to defend Cicero against charges made against Plato.⁴⁸ As he puts it:

haec quoniam, dum de Platonico Ere iactantur, etiam quietem Africani nostri somniantis accusant . . . resistamus urgenti et frustra arguens refellatur, ut una calumnia dissoluta utriusque factum incolumem, ut fas est, retineat dignitatem.

In Somn. Scip. 1.2.5

Since these reproaches [of Epicurean philosophers], although cast at Plato's Er, can also be made against the sleep of our dreaming Scipio . . . let us resist the man who presses them and refute his groundless argument, so that after the lie has been disproven, a single action can preserve the dignity of both men safe and sound, as is right.

48 It is interesting that Macrobius does not mention any of the charges made against Cicero's philosophy, even though it had attracted its share of critics, such as Didymus and several Christian authors. This is just one of many indications that Cicero is less important to him for his own sake than because he can serve as a Roman Plato.

The defense that follows, predicated on justifying the use of fables in philosophy (1.2.6–12), is clearly from a Greek Neoplatonist.⁴⁹ Here, then, Macrobius' reason for insisting on the equivalence between Cicero and Plato becomes clear: if Cicero is subject to the same criticisms as Plato, Macrobius can defend him with Neoplatonic material, as he does throughout these opening chapters.⁵⁰

What Macrobius leaves implicit here is the fact that if criticism of Plato applies to Cicero's work, so too do more positive accounts. Yet this is the heuristic that guides the bulk of his commentary, which largely consists of extracts taken from various Neoplatonic sources.⁵¹ Such borrowing was *de rigueur* in Macrobius' intellectual milieu, and it is important not to impose the modern label of plagiarism upon his work, but recognize that his is the project of a compiler: he pulls together sources that might be otherwise unavailable to his readers, and does so with restraint and control, adapting the material to his setting and audience as appropriate.⁵² After all, to turn Cicero into a Roman Plato, making him into a vehicle for Neoplatonic allegory, was by no means a foregone conclusion. In fact, it is an approach that shows little respect for Cicero's ambivalent use of Plato, and is a sign that Macrobius was less interested in explicating Cicero's work for its own sake than in reproducing Neoplatonic commentary in Latin.

49 Possibly Porphyry's commentary on Plato's *Republic*; a similar defense in Proclus' commentary on the *Republic* draws heavily on Porphyry (1.105.23–107.14 Kroll). Porphyry is also used as a source elsewhere in the work: Macrobius seems to draw from his commentary on Plato's *Republic* (*In Somn. Scip.* 1.7.4–6, compared with Proclus, *In Rem Pub.* 1.115–117; *In Somn. Scip.* 1.12.3, compared with *In Rem Pub.* 2.129.25 Kroll), as well as his *Quaestiones Homericae* (*In Somn.* 1.3.17–18). Meanwhile, the sections on astronomy draw from his commentary on the *Timaeus*, which Macrobius mentions by name at *In Somn. Scip.* 2.3.15. See Courcelle (1969) 32–45.

50 For example, his description of the use of fables in Plato's other works (1.1.6–7) is closely related to Proclus' comments on the subject in his commentary (1.168.11 Kroll), suggesting a common source, as is his discussion of the times when philosophers reject the use of fables (1.2.13–21, compared with Proclus 1.274–276, 2.106 Kroll).

51 Macrobius does note this on occasion: at 2.2.1, he claims that an explanation of Plato's conception of the World Soul will be a guide to understanding Cicero, whose words would be incomprehensible without an exposition of the relevant Platonic material (2.2.23). Much work has been done on Macrobius' use of Greek sources; Gersh (1986) 493–593 provides a comprehensive account, and good, if dated, overviews can be found in W. H. Stahl (1952) *Commentary on the Dream of Scipio by Macrobius*, and Courcelle (1969). Cameron (2011) 269–270 also comments briefly on the question.

52 See P. Henry (1934), *Plotin et L'Occident*, *Frimicus Maternus, Marius Victorinus, s. Augustin et Macrobie*; K. Mras (1933), *Macrobius' Kommentar zu Ciceros Somnium: ein Beitrag zur Geistesgeschichte des 5. Jahrh. n. Chr.*, Courcelle (1969) 13–47, and Kaster (2011) xliii–xlvii.

At the same time, Macrobius does try to make his use of Neoplatonic material appropriate for a Roman audience. When drawing from Neoplatonic predecessors, he is always keen to add comparable Roman *exempla*; a mention of Homer in his sources tends to occasion a mention of Vergil in turn (e.g., 1.3.17–20, 1.7.4–8), and his famous discourse on the use of fables in fiction and philosophy mentions not just Hesiod, Aesop, and Menander, but also Petronius and Apuleius (1.2.6–11). A belief in the basic equivalence between the great works of Greek literature and the great works of Roman literature runs throughout the commentary, and is apparent both in Macrobius' large-scale approach of borrowing Neoplatonic exegesis to explain Cicero, and in these small-scale moments, where Greek examples are adapted with appropriate Roman figures. This, of course, was nothing new for a Roman author—Cicero himself used much the same heuristic of substituting equivalent Roman authors for the Greek ones quoted in the sources for his philosophical works—but what is novel about Macrobius, at least in the sheer scope of his project, is the Greek author to whom he makes Cicero equivalent.⁵³ In envisioning Cicero as a Roman Plato deserving of allegorizing Neoplatonic commentary, he enshrined a version of him—omniscient philosopher and faithful transmitter of Platonic doctrine—that, though it may not have been what Cicero himself intended, proved to have enormous influence in the centuries that followed.

In fact, the *Commentary on the Dream of Scipio* became a remarkably popular text in the Middle Ages (see chapter 12), reaching the height of its popularity in the scholastic movement of the twelfth century.⁵⁴ As interest in philosophy grew during this period, Macrobius became an important source for Neoplatonic doctrine, and his influence can be felt in Abelard, Hugh of St. Victor, Bernardus Silvestris, John of Salisbury, Vincent of Beauvais, and Albertus Magnus, among others. But it was not just Macrobius' Neoplatonism these authors were absorbing, it was also his version of Cicero. This twofold process can be seen from a passage in Abelard:

53 For this practice in Cicero, see H. D. Jocelyn (1973), "Greek Poetry in Cicero's Prose Writing," *Yale Classical Studies* 23: 61–112.

54 About 230 manuscripts copied before 1500 survive; a list can be found in B. Eastwood (1993), "Manuscripts of Macrobius, *Commentarii in Somnium Scipionis*, Before 1500," *Manuscripta* 38.2: 138–155. L. D. Reynolds (1983), *Texts and Transmission: A Survey of the Latin Classics*, 222–232, discusses the manuscript tradition. Stahl (1952) 39–55 is a good overview of the commentary's fortune in this period; a more comprehensive account can be found in M. Schedler (1916), *Die Philosophie des Macrobius und ihr Einfluss auf die Wissenschaft des christlichen Mittelalters*. For Macrobius' influence in the 12th century specifically, see the collection of essays in *A History of Twelfth-Century Western Philosophy* (1992), ed. P. Dronke), especially those of Dronke, Wetherbee, and Gregory.

Quantum etiam semper philosophia arcana sua nudis publicari uerbis dedignata sit, et maxime de anima et de diis per fabulosa quaedam inuolucra loqui consueuerit, ille non mediocris philosophus et magni philosophi, Ciceronis, expositor Macrobius diligentissime docet.

Theologia Christiana 1.103

How much philosophy has always disdained her secrets being made public in bare words, and has been accustomed to speak with certain coverings through fables, especially on matters concerning the soul and the gods, that by no means mediocre philosopher and expounder of the great philosopher Cicero, Macrobius, has thoroughly instructed us.

In accepting Macrobius' premise that on the most important matters philosophers are accustomed to speak in fables (*In Somn. Scip.* 1.2), Abelard also accepts that an *expositor* is necessary for unraveling the allegories contained in these fables—in this case, Macrobius himself. This assumption results in Abelard's description of Cicero as a *magnus philosophus* (contrasted with Macrobius, *non mediocris philosophus*), since only a truly skilled philosopher could imbue a fable with such deep allegorical significance. Macrobius' philosophical authority in this period thus served to enhance Cicero's, reinforcing his *bona fides* as a figure of utmost philosophical importance.

Macrobius continued to be a key figure for medieval philosophy after the scholastics, as well: he supposedly inspired Chaucer's *Parliament of Fowls*, was one of the most frequently quoted authors in Petrarch, and remained an important resource even up to the time of Rabelais. For these authors Macrobius' Cicero, with his Platonic pedigree and authoritative grasp of the nature of the universe, would have been a familiar figure. However, Macrobius' popularity began to wane with the discovery of Greek and Arabic philosophy during the Renaissance. This, along with the rediscovery of Cicero's rhetorical works, sparked the decline of seeing Cicero as a great philosopher, and a return to a Quintilianic admiration of him for his oratorical prowess that culminated in the Ciceronianism of the fifteenth and early sixteenth centuries.⁵⁵

While Macrobius, and his version of Cicero, flourished in the Middle Ages, Asconius languished forgotten in the abbey of St. Gall in Switzerland. It was

55 For Cicero's rhetorical reputation in this period, see Kennedy (2002) 490–495. P. MacKendrick (1989), *The Philosophical Books of Cicero*, 258–293, traces his philosophical reputation from Seneca the Elder to the twentieth century. Zielinski (1908) 160–340 remains a valuable account of his fortunes from the Middle Ages to the nineteenth century.

here, in 1416, as Cicero's rhetorical reputation was once again beginning to take root, that his commentaries were rediscovered by Poggio, alongside manuscripts of Quintilian and Valerius Flaccus. This rediscovery played a role in the growing tension between Cicero the philosophical master of the Middle Ages and the figure of oratory and politics that had been dramatically called back to life by Petrarch's discovery of Cicero's letters (See chapter 1).⁵⁶

This uneasiness continued throughout the Renaissance and the Enlightenment.⁵⁷ While Cicero's philosophical works, particularly those on religion, were influential for Enlightenment philosophers—and his eloquence remained unassailed, despite a preference for Senecan prose in the seventeenth and eighteenth centuries—the political inconstancy revealed by his letters became increasingly hard to swallow in an age that saw more than its share of political upheaval. This trend came to a head in the nineteenth century, when a focus on Cicero's political actions led to widespread condemnation.⁵⁸ His philosophical side was all but forgotten as scholars, led by Mommsen in his *Römische Geschichte* (see chapter 9), railed against Cicero's cowardice and hypocrisy.⁵⁹ It is understandable that Macrobius' philosophically omniscient Cicero had no place in this period, but Asconius' more historical and political approach, with its reverence for Cicero, also attracted little attention, and when the two were read at all, it was to be mined for the fragments of forgotten history and authors that they contained, not for their take on Cicero.

Yet in the latter years of the twentieth and now the twenty-first centuries, Cicero's political machinations have taken on new significance, and Asconius' Cicero, who represented, like Demosthenes, the last key figure of a vanished political world, has come back into play. Where the nineteenth and early twentieth centuries celebrated their own increased knowledge of politics and political institutions—and judged Cicero's actions by modern standards—much current work has turned more seriously to considering how Cicero's politics,

56 Petrarch's famous letter (*Ep. Fam.* 21.3) composed in reply to Cicero encapsulates the shock that must have come when someone intimately familiar with the medieval conception of Cicero as a philosopher first encountered his political side.

57 For Cicero's reception in the Enlightenment, see M. Fox (2013), "Cicero During the Enlightenment," In *The Cambridge Companion to Cicero*, ed. Catherine Steel: 318–336. See chapter 13.

58 A summary of Cicero in the nineteenth century can be found in N. P. Cole (2013), "Nineteenth-century Ciceros," In *The Cambridge Companion to Cicero*, ed. Catherine Steel: 337–349.

59 Perhaps best summed up at page 504 in his *History of Rome Volume 5*, translated by William Purdie Dickson: "As a statesman without insight, idea, or purpose, he figured successively as democrat, as aristocrat, and as a tool of the monarchs, and was never more than a short-sighted egotist."

as found in all his writings, reflect and are reflective of Republican Rome.⁶⁰ Though Asconius' reverent attitude toward Cicero is no longer in evidence, such studies represent a more nuanced picture of Cicero as political actor in his historical habitat. Asconius, too, has come into his own as an important source for the history of the period.⁶¹

While the renewed political focus of much recent scholarship, and Asconius' rehabilitation, are both welcome developments, scholarship as a whole has remained largely inured to the lessons of Macrobius' Cicero. Good recent work has been done exploring Cicero's philosophical program for its representation of his political beliefs, but after the excesses of *Quellenforschung* in the late nineteenth and early twentieth century (see chapter 10) it has become increasingly rare to consider, in a nuanced way, how Cicero used Greek sources to create something of innovative significance for Romans.⁶² This is unfortunate, since such investigations are necessary both for understanding Cicero as a politician and author in his own right, and for understanding his influence on later generations of Romans.

Ultimately, both Asconius' and Macrobius' Ciceros were the products of each man's aims and agenda, and the set of hermeneutical principles each borrowed from the tradition of Greek scholarship constrained his reading, leading, in certain cases, to distortions and misunderstandings. But when we put both readings of Cicero together, two important features of his Roman reception come to light. The first is the extent to which Cicero's choice of model in his various works affected his commentators' models; as Vergil's appropriation of Homer led to a flourishing of Homeric scholarship in Latin, it was Cicero's decisions to imitate Demosthenes and Plato that led to Roman versions of Demosthenic and Neoplatonic commentary. A second, and related, point to consider is that the flexibility that characterized Cicero's political and literary career was reflected in his early reception. Just as Cicero himself often sought to be all things to all people, so too, after his death, he became a figure who could be mapped onto and understood through a wide variety of earlier authors: juxtaposing the Ciceros of Asconius and Macrobius allows us to

60 The work of Thomas Habinek is a good example of this type of thinking; see, e.g., T. N. Habinek (1990), "Towards a History of Friendly Advice: The Politics of Candor in Cicero's *De Amicitia*," *Apeiron* 23.4:165–185 and T. N. Habinek (1994), "Ideology for an Empire in the Prefaces to Cicero's Dialogues," in *Roman Literature and Ideology: Ramus Essays for J. P. Sullivan*, ed. A. J. Boyle: 55–67, both developed further in T. N. Habinek (1998), *The Politics of Latin Literature: Writing, Identity, and Empire in Ancient Rome*.

61 Marshall (1985) and Lewis (2006) are two prominent examples.

62 On the reception of Cicero's philosophy in modern scholarship, see M. Fox (2007), *Cicero's Philosophy of History*, especially 55–79.

see how Cicero's own flexibility inspired hermeneutical variety. It is worth considering further whether this was not Cicero's intention in the first place. After all, in positioning himself as both a Roman Demosthenes, and (to a lesser degree) Rome's answer to Plato, he may well have hoped to inspire these divergent traditions that continue to play such an important role in our understanding of him.

What the Middle Ages Missed of Cicero, and Why

John O. Ward

Pothinus matched Mark Antony in crime.
 They slew the noblest Romans of their time.
 The august victims they decapitated,
 An act of infamy with shame related.
 One head was Pompey's who brought triumphs home.
 The other was Cicero's, the voice of Rome.
 Pothinus acted for another man, on hire.
 Mark Antony indulged his own desire.¹



The medieval period in European cultural history (lying roughly between, say, the death of St. Augustine and the life-time of Petrarch), was at first sight an alien period for a pagan figure such as Cicero, yet, on second glance, one has to be impressed by the wide and occasionally profound attention Christian culture gave such an author in the middle ages. Essential aspects of Cicero one would expect a receptive culture to fasten upon, include his rhetorical, oratorical and philosophical writings, his speeches—virtually the only collection of speeches to have survived to us from antiquity—, his letters—surely the earliest and finest collection of letters to have survived from antiquity—, and, finally, his unusual commitment to an active life in politics, which extended from obtaining the consulate to having his head and his right hand cut off.² The middle ages grasped an amazing amount of all this, but their emphasis was often awry (stressing, for example, the *De inventione* and the *Rhetorica ad Herennium* rather than the *De oratore* and the later oratorical writings of Cicero), and they missed much; William of Malmesbury's *Polyhistor* is a good indication of what they missed.³

1 Martial, epigram 3.66, as in Garry Wills *Martial's Epigrams: a selection*, translated and with an introduction (London: Viking, Penguin, 2008) p. 64.

2 Shane Butler *The Hand of Cicero* (Routledge: London, 2002).

3 See below.

Cicero's political life lay far from the consciousness of the medieval period because that epoch's historiographical equipment did not permit it, nor did their Christian perspective encourage it, to make detailed researches into the political life of late republican Rome, for its own sake, so to speak. Cicero's letters fell into the same trough—which makes Petrarch's story (see chapter 1) so remarkable.⁴ The speeches of Cicero saw occasional consultation in commentaries on the *De inventione* and the *Rhetorica ad Herennium* (mainly the Verrine and Catilinarian orations) but were on the whole too difficult a project for an age that knew little of Roman legal processes and political life, and cared less. Cicero's philosophical writings were better adjusted to help with medieval enquiries into the nature of virtue and the good life, but they could not compete with the vast array of patristic and later religious writings on these themes, and as a result they did not receive the adaptation and justification that, for example, Horace's *Epistles* received in the central middle ages.⁵ As just mentioned, the extensive attention paid by medieval schoolmen to the long and tedious *De inventione* of Cicero, and the even longer and badly written (as it survives) *Rhetorica ad Herennium* (which modern scholars deny was even written by Cicero, contrary to medieval assumptions), challenge us today. Even though the *De oratore* was copied as early as the time of Lupus of Ferrieres,⁶ it was seldom used in the middle ages. Why?

This paradoxical story will be illustrated in what follows, not exhaustively, but in accordance with what the author has himself explored, in the hope that the resulting ensemble will create the right picture even if it omits much of the detail later research might be challenged to recover. I will start by looking at the manuscript survival for all of Cicero, as this is the basic indication of attention paid to Cicero in the middle ages, and without it, much would have been lost to us today. I will use here the information excellently collected in L. D. Reynolds' *Texts and Transmission*. I will then provide some indication of the extensive attention paid to the *De inventione* and the *Rhetorica ad Herennium* and why, and will contrast how these last two works appeal to

4 See L. D. Reynolds, ed. *Texts and Transmission: a survey of the Latin classics* (Oxford: Clarendon Press, 1983) p. xl; D. J. McRuvie 'Changes in the intelligibility of writing in late medieval, early Renaissance Italy: an aspect of the origins of Italian humanism' (unpublished Ph.D. thesis, University of Sydney, 1981); J. O. Ward 'Rhetoric: *disciplina* or epistemology?' Nancy Struever and writing the history of Medieval and Renaissance rhetoric' in Joseph Marino and Melinda W. Schlitt, eds *Perspectives on Early Modern and Modern Intellectual History: essays in honor of Nancy S. Struever* (Rochester, 2001) pp. 347–74.

5 As shown recently in a brilliant paper by Karen Margareta Fredborg: 'Sowing Virtue: Horace's *Epistles* and their eleventh- and twelfth-century commentaries' (forthcoming). See below on the influence of Cicero's political and philosophical writings.

6 See below.

modern scholars—or don't—and say why. I will then, after a rapid review of how the middle Ages used Cicero's philosophical writings, use William of Malmesbury's *Polyhistor* to provide an overview of how an exhaustive researcher and writer of the twelfth century viewed Cicero and his works. William, a monk, can be usefully contrasted with his near contemporary, John of Salisbury, a secular, in connection with whose *Policraticus*, it will be possible to make a few remarks about the medieval uses of Cicero's *De oratore*. I will then show that it was not only men who read Cicero: Heloise was also praised by Abelard as knowing Cicero's *De amicitia* as well as its author!

The general conditions surrounding and affecting the survival of the Latin classics in the medieval period—and 'survival' is a better word here than 'reception'—have been excellently set out in the introduction to L. D. Reynolds' *Texts and Transmission*. The slenderness of Cicero's survival in the so-called 'dark ages' (c.550–750)⁷ is well indicated by the surviving manuscripts: three from c.400 A.D., nine from the fifth century, two from c.500 and then nothing until the late 700's. All this in a world which valued utilitarian and Christian texts above all else. From a seventh-century squashed-out fifth century *Verrines*, to 'a large part of Cicero' in the ninth century,⁸ supplemented by more in the tenth century,⁹ more again in the eleventh century,¹⁰ still more in the twelfth century¹¹ and five more speeches and some letters in manuscripts and printed books of the fourteenth to sixteenth centuries,¹² Cicero grew to the status he holds today, as a prolific and well-surviving antique speaker, writer and thinker.

7 Reynolds p. xvi. For palimpsest survival of Cicero's works in this period, see Reynolds pp. 56–57.

8 Some 18 speeches or groups of speeches—of the 100 or so Cicero is known to have delivered, the *De inventione*, mutilated copies of the *De oratore* and *Orator*, the *Brutus* and 12 philosophical / essay works, together with the letters 'ad familiares'. See Reynolds p. xxviii n. 105 and p. 51.

9 The *Partitiones Oratoriae* and five more speeches—Reynolds p. xxxi.

10 Two more speeches, the *De optimo genere oratorum*, a further philosophical work and the letters 'ad Atticum'—Reynolds p. xxxiii.

11 *De lege agraria*, *Academica posteriora*. Reynolds p. xxxv.

12 Reynolds p. xlii. Five of Cicero's letters to Brutus are known only from early printed books (Reynolds p. xliii). The above details have been derived only from the manuscripts that the writers in Reynolds' collection thought were important for the text of Cicero's works. Other manuscripts and the extensive excerpts in florilegia have not been thoroughly explored, but cf. Reynolds p. 70 for the conclusion, based on extracts that appear in florilegia, that 'the *Verrines* owe their medieval circulation largely to the intellectual activity of the Loire valley abbeys and schools'. For the florilegia see Reynolds pp. xxxviii (and especially nn. 193–94), 61, 70, 76, 93.

Monastic houses and religious institutions played an important role in this survival pattern, but we do not know to what purposes the texts in question were put, though doubtless an initial interest was stylistic. From writers such as John of Salisbury, one can gather something of interests outside religious institutions,¹³ and in the case of some monastic figures, such as, for example, Abbot Wibald of Corvey, to whom we owe a 'large omnibus Cicero',¹⁴ we find an important politician in his day. Wibald was born near Stavelot in 1098 and became one of the most influential and valued councillors/advisers of the German rulers Lothar II, Conrad III and Frederick Barbarossa, particularly in their diplomatic relations with the papacy and the Byzantine Empire, in connection with which he made many journeys to Rome and Constantinople. This would suggest that Wibald learned much from Cicero's blend of politics and rhetoric, but we have no details to illustrate exactly what use he made of Cicero. Many medieval manuscripts, on the other hand, seem to have lain dormant, awaiting the invigorating hands and eyes of the Italian humanists of the Renaissance.¹⁵

Admirable though this survival pattern may seem,¹⁶ it contains items which modern philology has rejected,¹⁷ and there were many opportunities for textual corruption inherent in the medieval conditions of survival.¹⁸ It is also difficult to divine the reasons for the copying of Cicero's works in the first place, especially the speeches, for the appreciation of which a knowledge of the Roman republican past quite beyond the medieval researcher is required.

13 See below.

14 Reynolds pp. xxxvi. 58–59, 63, 77, 92–93. Omnibus collections of Cicero's work were not uncommon during the medieval and Renaissance periods; see Reynolds pp. 62, 80–81 (William of Malmesbury, showing considerable interest in the philosophical works of Cicero), 82 (Nicholas de Clamanges), 88, 92, 95,

15 Reynolds pp. xl–xli, 78 'when French scholars disturb the dust in old libraries'.

16 That '32 speeches of Cicero have come down in medieval manuscripts (to count as one the four *Catilinarians*, the seven *Verrines*, the fourteen *Philippics*, and the three speeches *De lege agraria*)' is little short of miraculous (Reynolds p. 92).

17 The *Rhetorica ad Herennium*, for example (see below), but also the 'spurious *Pridie quam in exilium iret*', the pseudo-Ciceronian and Sallustian *Invectivae* (Reynolds pp. xxxi, 62–67, 85, and *Sallust*, ed. J. C. Rolfe [Cambridge, Massachusetts: Harvard University Press, Loeb Classical Library, 1931 pp. 492–521]), the 'pseudo-Ciceronian *De optimo genere oratorum*' (Reynolds p. xxxiv, but not accepted as spurious by H. M. Hubbell *Cicero: On Invention, Best Kind of Orator, Topics* [Cambridge, Massachusetts: Harvard University Press, Loeb Classical Library, 1949] pp. 349–53, or by Cary Nederman 'Rhetoric, Reason and Republic: republicanism, ancient, medieval and modern', James Hankins (ed.) *Renaissance Civic Humanism: Reappraisals and Reflections* [Cambridge: University Press, 2000] p. 252).

18 Reynolds pp. 73–75, 86, 91, 92.

The Reynolds volume confesses in regard to the *Philippics* that ‘one could never claim that the work circulated widely before the Renaissance’,¹⁹ and the close study of Cicero’s speeches seems to date from the time of Petrarch and Antonio Loschi.²⁰ The speeches, indeed, figure in Grillius’ commentary on the *De inventione*²¹ and in many of the subsequent commentaries on the *Ad Herennium* and *De inventione*. Reynolds points out (p. 61) that the *Catilinarians* and the *Verrines* were established in the syllabus of the provincial schools in the later Roman Empire. Usage in all these cases was inferential and illustrative rather than scholarly or extensive.

The so-called Ciceronian rhetorical ‘juvenilia’, the *Ad Herennium* and the *De inventione*, received vastly greater attention during the medieval period, than their merits or their modern following suggest they deserve. Today confined to a few specialists, these works in the middle ages formed the basic knowledge of the ancient art of rhetoric. They were taught in themselves and they were used to lay the foundations for the medieval ‘applied’ arts of rhetoric, the arts of preaching, praying, versifying and writing letters.²² Although the celebrated Laudensis manuscript discovered in 1421 seems to have contained very early complete texts of these two works, the earliest medieval copies were mutilated, and complete manuscripts are known only from the tenth century.²³ From that time on, manuscripts and commentaries multiplied as a brief survey of some recently available statistics will suggest.²⁴

19 Renolds p. 78.

20 Reynolds pp. 87, 94–95.

21 Rainer Jakobi Grillius: *commentum in Ciceronis Rhetorica* (Leipzig: Saur, 2002) pp. 9–13, 15, 17, 2029, 31, 33 etc.

22 See Virginia Cox and J. O. Ward (eds) *The Rhetoric of Cicero in its Medieval and Early Renaissance Commentary Tradition* (Leiden: Brill, 2006, 2011).

23 Reynolds pp. 98–100 and Ruth Taylor-Briggs in Cox and Ward pp. 77–108; also, recently, J. O. Ward ‘Master ‘Manegold’ (of Lautenbach?) and Master William of Champeaux, master commentators on the pseudo-Ciceronian *Rhetorica ad Herennium*’, forthcoming in a Festschrift for Martin Camargo, where some of the history of the curious latter text is gone into.

24 I refer to a survey entitled *Cicero Rhetor: a Census of Medieval and Renaissance Manuscripts containing texts of, and/or glosses, commentaries and notes on, or accessus (introductions) etc. to, Cicero’s ‘De inventione’ and the ‘Rhetorica ad Herennium’, together with certain related texts* which I have recently completed in summary outline. The project involves not only full, partial, and fragmentary texts of/from the juvenilia, but commentaries, glosses and collections of notes on them, abridgements and paraphrases of them, collections of definitions taken from them, epilogues and *accessus* (introductions) to them, examples meant to illustrate sections from within them (such as the late eleventh-century *De ornamamentis verborum* of Marbod of Rennes, ed. Rosario Leotta, *Marbodo*

Some 332 manuscripts containing all or most of the text of the *De inventione* to the end of the fifteenth century survive, with a further 73 manuscripts containing excerpts from that text (405 manuscripts in all). Some 610 manuscripts with a complete or nearly complete text of the *Ad Herennium* to the end of the fifteenth century have survived, with a further 128 manuscripts containing excerpts from this text, making a total survival down to the fifteenth century of around 738 manuscripts.²⁵ If we add these figures together and combine

*di Rennes, 'De ornamentis verborum'; 'Liber decem capitulorum': Retorica, mitologia emoralità di un vescovo poeta [secc. XI–XII], Florence, 1998: Per Verba: Testimediolatini con traduzione 10; text also found in PL 171.1687–92), designed to illustrate book IV of the Ad Herennium, and the Exempla exordiorum of the early Italian Renaissance humanist Gasparino Barzizza, intended to illustrate the Ad Herennium 1.4–6); addresses designed to inaugurate a course of lectures on the juvenilia; tables of their chapters or tables of the parts of rhetoric designed to accompany reading and study of them. The search involved some 249 libraries and 1,228 manuscripts. Figures given in the text above may vary a little as some final details are confirmed or supplied, and publication in some form (jointly with Ruth Taylor-Briggs) is envisaged. The figures supplied should be compared with those given in Reynolds *Texts and Transmission*. Previous scholarship on the juvenilia in the middle ages includes D. E. Grosser 'Studies in the influence of the *Rhetorica ad Herennium* and Cicero's *De Inventione*' unpublished Ph.D. thesis, Cornell University (Ithaca, N.Y., 1952); Mary Dickey 'The study of rhetoric in the first half of the twelfth century with special reference to the cathedral schools of northern France' unpublished B. Litt. thesis (Oxford; St. Hilda's College, 1953); Mary Dickey 'Some Commentaries on the *De inventione* and *Ad Herennium* of the Eleventh and Early Twelfth Centuries' *Mediaeval and Renaissance Studies* 6 (1968) 1–41; Fredborg (many papers—see bibliography in 'Cox and Ward'); and Ward (many papers—see bibliography in 'Cox and Ward'). I am preparing articles on the juvenilia for the Union Académique Internationale project, ed. P. O. Kristeller (†), F. E. Cranz (†) and Virginia Brown entitled *Catalogus Translationum et Commentariorum: Mediaeval and Renaissance Latin Translations and Commentaries, annotated lists and guides*, of which some 8 volumes have been published to date. The figures supplied in the present paper are tentative: some details have yet to be checked and a few manuscripts followed up. There may, then, be some small changes as final work progresses. However, the general impressions to be derived from the figures presented are surely accurate. An initial oral presentation of this statistical material was took place at the Fifteenth Biennial Conference of the International Society for the History of Rhetoric, Los Angeles, July 2005, and I am deeply grateful to those connected with the formation and ongoing success of that society, for their continued encouragement of and support for my activities in this regard, particularly Jerry Murphy, Brian Vickers, Martin Camargo, Margareta Fredborg, Jorie Woods, Peter Mack and Gabriele Knappe,*

25 A very few manuscripts of the juvenilia have survived from the sixteenth and later centuries, when the bulk of surviving texts and annotations took the form of printed books. I have not paid exhaustive attention to these, nor have I chosen at this stage to provide details of the printed survival of the juvenilia and annotations from the incunabular period onwards, but some details in regard to the latter will be found in my paper in J. J. Murphy

them with the surviving manuscripts of vernacular translations or paraphrases of the same juvenilia, we arrive at a grand total of 1,240 surviving medieval manuscripts containing all or parts of the *De inventione* and *Ad Herennium*.²⁶ A not insignificant portion of these manuscripts represent the commentary on the *De inventione* by the fourth-century rhetorician Victorinus, the teacher of Augustine, and some contain fragments of the similar commentary of the fifth or sixth-century author, Grillius.²⁷ There are also a considerable number of manuscripts of medieval commentaries on both the ancient texts.

It is difficult to evaluate such a figure without comparative figures for other major classical works. The poems of Vergil, for example, survive in some 1,017 manuscripts,²⁸ the *Institutiones grammaticae* of Priscian in some 318 manuscripts, and the *Ars minor* and *Ars maior* of Donatus in around 700 manuscripts.²⁹ Robert Black, in his analysis of patterns in 'the Latin literary canon in Italian schools from the twelfth to the fifteenth century' consulted some 1,305 manuscripts.³⁰ Whatever the case, we are certainly in a position now to revise Charles Homer Haskin's view that 'Cicero was more admired than read':

The new rhetoric of the twelfth century [he wrote] had scant respect for any Roman models . . . The whole basis of forensic oratory disappeared with the Roman political and judicial system . . . Nor did rhetoric possess a simple and convenient manual like Priscian or Donatus to carry it through the rough wear of the Dark Ages . . . Cicero and Quintilian . . . were read as models of rhetorical style rather than as textbooks. How little Cicero and Quintilian were actually used appears from the number of surviving copies, respectable for a classic, but insignificant for a standard text.³¹

(ed.) *Renaissance Eloquence: studies in the theory and practice of Renaissance Rhetoric* (Berkeley and Los Angeles, 1983).

26 This figure exceeds the number of manuscripts investigated because some manuscripts contain more than one of the texts in question.

27 On the dating see Jakobi, *Kommentar* pp. 4–5.

28 Giancarlo Alessio 'Tradizione Manoscritta', *Enciclopedia Virgiliana* III (Rome, 1987) pp. 432–43.

29 Elod Nemerényi 'Latin Classics in Medieval Hungary: eleventh century' (Ph.D. thesis Central European University, Budapest, 2004) p. 13.

30 Robert Black *Humanism and Education in Medieval and Renaissance Italy: Tradition and Innovation in Latin Schools from the Twelfth to the Fifteenth Century* (Cambridge: University Press, 2001) pp. 3, 5.

31 *The Renaissance of the Twelfth Century* (New York, Meridian Books, 1958) pp. 112, 138–39.

The figures I am advancing confirm McKeon's view

that Ciceronian rhetoric permeated the intellectual culture of the middle ages, just as it did that of the Renaissance³²

and support Tinkler's assertion that the judicial rhetoric of antiquity, far from dying out in the medieval and Renaissance periods, enjoyed continued use and respect.³³ Indeed, as many studies subsequent to Haskins' work suggest, Ciceronian classical rhetorical theory had a wide influence on the literature, historiography, and political theory of the medieval and Renaissance periods.³⁴

There are two problems with this material. The first is why these two texts were used so extensively, instead of, for example, the mature rhetorical works of Cicero, so much more favoured today. The second is why no medieval author realized, or was even concerned to consider, the inauthenticity of the *Ad Herennium*, which is nowadays described as either anonymous, or written by the ancient author Cornificius.³⁵

The *De inventione*, we must remark, together with Cicero's philosophical writings, had a reasonable career in the Middle Ages. The *De inventione* owed its popularity not only to its position as a key introduction to the art of rhetorical *inventio* (the finding of arguments to support a case) but to its elaborate introduction (lacking in the *Rhetorica ad Herennium*) which provided a theory of the origin of civilization, the work of a *magnus videlicet vir et sapiens*:

For there was a time when men wandered at large in the fields like animals and lived on wild fare; they did nothing by the guidance of reason, but relied chiefly on physical strength; there was as yet no ordered system of worship nor of social, duties (*non humani officii ratio colebatur*); no one

32 Martin Camargo 'Defining medieval rhetoric' in Constant J. Mews, Cary J. Nederman and Rodney M. Thomson (eds) *Rhetoric and Renewal in the Latin West 1100–1540: essays in honour of John O. Ward* (Turnhout; Disputatio 2) [21–34] 29.

33 John Tinkler 'Renaissance humanism and the *genera eloquentiae*' *Rhetorica* 5:3 (1987) 279–309.

34 See Ward in Cox and Ward; J. O. Ward 'Some principles of rhetorical historiography in the twelfth century', in E. Breisach (ed.) *Classical Rhetoric and Medieval Historiography* (Kalamazoo, Michigan, 1985—studies in Medieval Culture XIX) 103–166; Ruth Morse *Truth and Convention in the Middle Ages: rhetoric, representation and reality* (Cambridge, 1991); Matthew Kempshall *Rhetoric and the Writing of History, 400–1500* (Manchester: University Press, 2011), the best volume on the subject.

35 See Ward in Camargo Festschrift, and Harry Caplan (ed. and trans.) [*Cicero*] *Ad C. Herennium De Ratione Dicendi (Rhetorica ad Herennium)*, with an English translation (Cambridge, Mass.: Harvard University Press, 1964, Loeb Classical Library), pp. ix–xiv.

had seen legitimate marriage nor had anyone looked upon children whom he knew to be his [or 'her'] own; nor had they learned the advantages of an equitable code of law. And so through their ignorance and error blind and unreasoning passion satisfied itself by misuse of bodily strength, which is a very dangerous servant.

At this juncture, a man—great and wise I am sure—became aware of the power latent in man and the wide field offered by his mind for great achievement if one could develop this power and improve it by instruction. Men were scattered in the fields and hidden in sylvan retreats when he assembled and gathered them in accordance with a plan; he introduced them to every useful and honourable occupation, though they cried out against it at first because of its novelty, and then, when through reason and eloquence (*propter rationem atque orationem*) they had listened with greater attention, he transformed them from wild savages into a kind and gentle folk.³⁶

Civilization, then, had its origin in the perceptive vision of a man *sapiens et eloquens*, who could reason and persuade. This proved, in the Middle Ages, a powerful idea, and it remained a constant in the broad swirl of medieval uses of Cicero's more extensive philosophical doctrines, set out in works written in his later life. Cary Nederman and others provide us with a guide here.

In general, Cicero's political thought—as found, for instance, in his *De re publica*, his *De legibus*, his *De officiis*, proved fundamental to the thought of St. Augustine and Lactantius (through whom the medieval world got to know portions of the *De re publica* missing from their manuscripts),³⁷ and despite anti-Ciceronian elements inherent in, say, Benedictine monasticism,³⁸ Cicero remained crucial to the political lucubrations of thoughtful individuals during the middle ages.³⁹ Thinkers such as John of Salisbury ('whose *Policraticus* is

36 *De inv.* 1.2; translated by H. M. Hubbell (Harvard University Press, Cambridge, Mass. [1949, Loeb Classical Library] 1960 pp. 5 and 7.

37 Cary J. Nederman and Kate Langdon Forhan (eds) *Medieval Political Theory—a reader, the quest for the body politic, 1100–1400* (London and NY: Routledge, 1993, henceforth *MPTH*) p. 3. The title 'De res publica' is here a mistake.

38 *MPTH* p. 9.

39 Cary J. Nederman, 'Nature, Justice and Duty in the *Defensor Pacis*: Marsiglio of Padua's Ciceronian Impulse' (*Political theory* 18:4 [1990] pp. 615–637) p. 615 points out 'that Cicero was the only political, thinker of pagan antiquity whose writings continued to be accessible to the Christian West following the collapse of Roman domination'; Nederman 'Rhetoric, Reason and Republic: republicanism, ancient, medieval and modern' pp. 249–62, 268–69; see also 'Cicero' in David Boucher and Paul Kelly (eds) *Political Thinkers: from Socrates to the present* (Oxford: University Press, 2nd ed., 2009) pp. 100–113. The 2003

considered to be one of the foremost contributions to the political literature of the Latin Middle Ages'),⁴⁰ Brunetto Latini,⁴¹ Thomas Aquinas,⁴² John of Paris,⁴³ Dante,⁴⁴ Ptolemy of Lucca⁴⁵ and Marsiglio of Padua,⁴⁶ set great store by the

edition of this work omits Cicero, but mentions St. Augustine's criticism of Cicero's definition of the republic (p. 102) and, p. 127 notes that Marsiglio of Padua in his *Defensor Pacis* quotes at length from Cicero's *De officiis*. R. W. and A. J. Carlyle's *A History of Mediaeval Political Theory in the West* (6 vols, London: Blackwood, 1950) 1 pp. 3–18 deals initially and extensively with Cicero's political theory though does not index Cicero. This book is organized by topic rather than by individuals. See 11 pp. 102–13 on Natural Law, and v pp. 339–54 on Ptolemy of Lucca and Thomas Aquinas. Ewart Lewis *Medieval Political Ideas* (2 vols, London: Routledge, 1954) deals with Cicero's use by Marsiglio of Padua (pp. 69–78), Thomas Aquinas (p. 49), the origin of the state (p. 158), and St. Augustine's reference to Cicero's definition of the 'commonwealth' (pp. 143 and 474).

- 40 Cary J. Nederman 2012 'Arthur O. Lovejoy Lecture: Civil Religion—Metaphysical, not Political: Nature, Faith and Communal Order in European Thought, c.1150–c.1550', *Journal of the History of Ideas* 74:1 (2013, pp. 1–22) p. 4, and pp. 4–9; Nederman in Gerald Gaus and Fred D'Agostino (eds) *The Routledge Companion to Social and Political Philosophy* (London and N.Y.: Routledge, 2013) pp. 38–40; *MPTh* pp. 27–60; Cary J. Nederman 'Nature, sin and the origins of society: the Ciceronian tradition in medieval political thought', *Journal of the History of Ideas* 49:1 (1988) pp. 3–26, esp. pp. 11–14.
- 41 *MPTh*. Pp. 71–72, 74, 77, 91; Cary J. Nederman 'The union of wisdom and eloquence before the Renaissance: the Ciceronian orator in medieval thought', *Journal of Medieval History* 18 (1992) 75–95, esp. pp. 86–88: Latini places the orator 'at the very centre of the communal affairs of his city: his words are the fount of civic life' (p. 87). Gian Carlo Alessio 'Brunetto Latini e Cicerone (e i dettatori)' *Italia Medievale e Umanistica* 27 (1979) 123–69 has shown the very considerable links between Brunetto Latini and the Ciceronian rhetorical commentators of the Middle Ages.
- 42 *MPTh* pp. 122, 127. See n. 38 above.
- 43 1250–1306 A.D., *MPTh*. p. 163; Nederman 'Nature, sin and the origins of society' pp. 15–19; Nederman 'The Union of wisdom and eloquence' pp. 88–90.
- 44 *MPTh* pp. 168–172.
- 45 Cary J. Nederman and Mary Elizabeth Sullivan 'The Polybian Moment: the transformation of Republican Thought from Ptolemy of Lucca to Machiavelli' *The European Legacy* 17:7 (2012) pp. 867–881, esp. pp. 872–75. See also n. 38 above.
- 46 Nederman 'Nature, Justice and Duty' p. 633 asserts that 'Marsiglio was steeped in and inspired by the doctrines that he found in Cicero. Indeed, it would be difficult to identify a more loyal medieval adherent to the spirit and substance of Cicero's philosophy than Marsiglio of Padua'; see also the same article pp. 622–26, 632; Nederman underlines the influence of the *De inventione* preface when he writes (same article p. 623) 'Marsiglio believes that the success or failure of [the] process of socialization is largely dependent on the presence of one or a few individuals who are particularly well endowed with the rational and rhetorical faculties necessary to convince the mass of human beings to assemble as a community'; *MPTh* pp. 176, 182, 198–99; Nederman 'Nature, sin and the origins of

theory of civilization set forth in the *De inventione*,⁴⁷ and by Cicero's views on the nature of reason and speech, his emphasis upon the social duties and obligations that bound people together cohesively, willing to follow out the theory and practice of social duties and obligations, together with Cicero's doctrine of natural law.⁴⁸

Further to this we must note the organization of a work such as the *Moralium Dogma Philosophorum* (*Doctrines of the Moral Philosophers*), ascribed to the first half of the twelfth century French teacher, scholar and writer, William of Conches. The work is organised under a series of headings—'on moral excellence', 'on the acquisition of excellence', 'on the useful', 'on the acquisition of useful things', 'on the conflict between the morally excellent and the useful'. It is, however, basically a *florilegium* taken from other writers, in this case, mostly Cicero, whose *De officiis* books I and III are heavily pillaged in 165 quotations, with bits from the *De inventione* and a lot of Seneca. Other *florilegia* are not unlike this work and this is something that would never pass muster today, when originality and authenticity are prevailing Gods.⁴⁹

society' pp. 19–26; *The Routledge Companion to Social and Political Philosophy* pp. 40–43; Cary J. Nederman 'The Union of wisdom and eloquence before the Renaissance: the Ciceronian orator in medieval thought', *Journal of Medieval History* 18 (1992) 75–95, esp. pp. 90–93; Nederman '2012 'Arthur O. Lovejoy Lecture: Civil Religion—Metaphysical, not Political' pp. 9–15 (= Marsiglio of Padua without particular emphasis upon the legacy of Cicero);

47 Nederman 'The Union of wisdom and eloquence before the Renaissance' pp. 79–80; Nederman is unaware, it seems, that G. Nuchelmans has covered some of the same ground in his 'Philologia et son marriage avec Mercure jusqu'à la fin du XII^e siècle', *Latomus* 16 (1957) 84–107.

48 Note the resounding comparison between medieval and Renaissance views of rhetoric and oratory in Nederman's 'Union of wisdom and eloquence' pp. 93–95. Note also Ian Adams and R. W. Dyson *Fifty Major Political Thinkers* (London: Routledge, 2007, 2nd edition) p. 22: Cicero was not original as a political thinker but 'his version of the natural law doctrine was one of the most formative influences on the ethical and political conceptions of the Church Fathers, on the development of Roman jurisprudence and hence on political thought from the Middle Ages down to the nineteenth century. As Sabine and Thorston [G. H. Sabine and T. L. Thorston *A History of Political Theory*, 4th ed., Hinsdale, Illinois: Dryden Press, 1973 p. 161] put it "The most important passages [in Cicero's political theory] were quoted times without number throughout the Middle Ages..." Nederman 'Nature, Justice and Duty' pp. 628–29, 633 echoes the same thought, stressing the influence of the *De re publica* and the *De officiis*.

49 See Peter Dronke (ed.) *A History of Twelfth-Century Western Philosophy* (Cambridge: University Press, 1988, pbck 1992) pp. 94–96; J. Holmberg *Das Moraliun Dogma Philosophorum des Guillaume de Conches* (Uppsala: Almqvist and Wiksells, 1929).

We now pass to one of the great medieval classicists and book collectors, William of Malmesbury, a leading twelfth-century English Benedictine monk, to see what use he made of Cicero. William has been described by a major authority as

on the one hand unique and outstanding, on the other representative of the concerns, traditions, virtues and limitations of Benedictine monasticism . . . the greatest historian of England between Bede and Macaulay . . . the greatest historian of twelfth-century Europe, the best-read European of the age and in particular a classicist extraordinaire.⁵⁰

Although, as we have seen, William was associated with an impressive manuscript collection of Cicero's works,⁵¹ his views expressed elsewhere represent a much more qualified view of the utility of Cicero's writings. For example, in his *Polyhistor*, a curious collection of excerpts from classical, patristic and certain other writings, known from two fourteenth-century manuscripts and addressed 'to his friend Guthlac', William includes

matter which should be pleasant to read and profitable to remember
[*lectioni iocunda et memorie fructuosa*]⁵²

We have no idea who Guthlac was, whether he really existed, and why he should have received a text such as the *Polyhistor*. Suggestions range from the possibility that he was a novice monk, to the notion that he might have been the son of a nearby nobleman whose instruction William was somehow in charge of.⁵³ Whether because he believed what he says or because he felt

50 R. M. Thomson 'William of Malmesbury and the Latin Classics revisited', *Proceedings of the British Academy* 129 (2005) pp. 383–93 at p. 384.

51 See n. 14 above and Rodney M. Thomson *William of Malmesbury* (Woodbridge, Suffolk: Boydell Press, revised edition, 2003) p. 51.

52 These two motives seem to underly the collection of material William included in his *Gesta Regum*, one purpose at least for which was to provide anecdotal and pleasurable material from or about the past. William realised, quite acutely, that however a learned a tome might be, if the reader was not encouraged to turn the pages, all the effort in its composition would be lost. He was working, of course, in an institutional context where the pressures of student, examination and graduation needs did not apply.

53 The translations used here come from an annotated translation of the *Polyhistor* prepared by the members of the Sydney Medieval Latin Reading Group, and are based upon *William of Malmesbury, Polyhistor, a critical edition* by Helen Testroet Ouellette (Binghamton, NY: Medieval and Renaissance Texts and Studies, 1982). It is intended to

his strictures were appropriate for Guthlac, William, in his preface, expresses some critical views of Cicero's works:

Tullius [Cicero] in his books *On old age* and *On friendship* [*De senectute*, *De amicitia*] and *On duties* [*De officiis*] discourses usefully about virtues and vices, and does so perhaps in other books; but I am only speaking [here] of those in the possession of which I glory. All Seneca's books except that on the *Death of Claudius* [*Apotheosis in de nece Claudii*], and the *Declamations* [*De causis* (*Controversiae*, *Suasoriae*)], are almost as full of profit as they are of words: these therefore you [Guthlac] should read, as agreeable to the purpose of right living.⁵⁴ The others are less suited to your [Guthlac's] profession [of the religious, the monastic life: 'reliqui minus professioni conveniunt tunc']. For they either thunder with ragings, as Tullius does in his *Invectives*⁵⁵ and his *Philippics*, or they equip your utterance with eloquence, as he does in his *Rhetorics*,⁵⁶ or thresh out empty questions, as he does throughout his *Academics*.⁵⁷

publish the translation when complete. Ouellette's work is cited below by the abbreviation 'O' followed by the page number and then the line number.

- 54 On these works see Thomson *William of Malmesbury* pp. 56–57. Note that at this stage, William's motives in writing the *PH* could be summed up as providing extracts that might minister to right living, the following of the virtues and the avoidance of vices, together with the worship of God as the first pillar of wisdom. The *PH* extracts do not, of course, keep to this goal...
- 55 The *Catilinarians* or the *Verrines*, or possibly the *Invectives* against and by Sallust (n. 17 above and see Thomson *William of Malmesbury* p. 51)?
- 56 Either the *De inventione* or the *Rhetorica ad Herennium*. From the former William provides below a (quite useless from the point of view of the rhetorical doctrines that interested his contemporaries) single extract. On William's knowledge of the latter, see Thomson *William of Malmesbury* p. 55.
- 57 *Acedemicae Quaestiones*. This would suggest that William was not interested in the *Academics*, and his selection from them in the *PH* certainly bears out this disinterest. It is also true that he copies out Augustine's disapproval of this—and similar—work[s] (Thomson *William of Malmesbury* p. 52). However, Thomson concludes on the basis of the introductions written to the texts in question in 'the massive corpus of Ciceroniana in Cambridge University Library Dd.13.2, a fifteenth-century copy of a collection first put together [so M. R. James thought] by William [himself]' (Thomson *William of Malmesbury* p. 51), that William read (and copied out...?) the *Academics*, the *De natura deorum*, the *De fato* and the *De divinatione*—all of which he excerpts in his own peculiar fashion in the *PH*, the fragments from the *Hortensius* and the *De re publica* included in Augustine's *City of God*, Cicero's translation of Plato's *Timaeus*, the *De paradoxis*, the *Pro Milone* and the *Philippics* (Thomson *William of Malmesbury* p. 51). Using information from works

An extensive review of the uses of Cicero in the *Polyhistor* cannot be provided here.⁵⁸ It is, however, clear that neither William nor Guthlac had any interest in the inventional rhetorical doctrines presented at length in the *De inventione*, or in Cicero's *Academics*. In his citations from Cicero's *De natura deorum* and *De divinatione* William ignored philological matters that would take up most of the modern scholar's time today, and displayed no interest in the republican context, legal or political, of Cicero's life and writings. William's—and Guthlac's—major interest was anecdotal, and in the course of their use of Cicero's works numerous mistakes were made which would not be permitted today. William also had no interest at all in the original nature and purpose of Cicero's writings. From the *De inventione* he took only the anecdote at the beginning of book II about Zeuxis painting Helen, without even troubling to say why Cicero used this comparison, and he ignored totally the intriguing preface to the *De inventione* which had proved a staple in the thought of much broader medieval political thinkers than William himself. From the *Academics* William took only the description of Lucullus (beginning of Book II), about whom neither he nor Guthlac would have known anything. Although many have associated William with large interests in Cicero's philosophical writings,⁵⁹ it is difficult to conclude from any survey of the *Polyhistor* that his attitude towards Cicero smacked of anything other than the cursory and the anecdotal. William missed completely the value of Cicero's philosophical writings as an index of ancient philosophical systems and as a reasonable guide to many important philosophical questions both of his own and of Cicero's day. William did not display any urge to learn from Cicero, let alone of him.

by William other than the *PH*, Thomson concludes (Thomson *William of Malmesbury* p. 56) 'that William knew at least nineteen, and perhaps as many as twenty-eight works of Cicero... he knew nearly all Cicero's philosophical treatises, some of the rhetorical works, and at least four speeches'. In his 'introductions' in the Cambridge MS, William justifies his raiding of the pagans thus (Thomson *William of Malmesbury* p. 52): 'Anyone who reads them [the pagan, heathen writings] with the intention of transferring to the glory of God and the saints, anything [these pagans] may have written opportunely in an eloquent and ornate manner [*ornate et eloquenter*] and holding to the apostolic rule that everything [so transferred] should be approved [by God, the apostle or William?], should be good and worthy [*bonum*] and free from all taint of evil [*ab omni specie mala se abstineat*], cannot be believed to have sinned'.

58 I refer the reader here to the eventual publication mentioned n. 53 above.

59 Above n. 14, and *Two Ancient English Scholars, St. Aldhelm and William of Malmesbury, being the First Lecture on the David Murray Foundation in the University of Glasgow, delivered on June 9th*, (Glasgow: Jackson, Wylie and Co., 1931), pp. 21–23; Thomson *William of Malmesbury* pp. 51–55; MS Cambridge University Library Dd.13.2.

There is no space here to deal with any other aspects of William's use of Cicero's works. Some comparison, however, with the attitudes of a very literate, almost contemporary, non-monk, might contrast usefully with the attitudes of William of Malmesbury. We select the *Policraticus* of John of Salisbury, or 'The Frivolities of Courtiers and the Footprints of Philosophers'. John, a Paris educated senior courtier in the court of Henry II of England, had a real mission in life—to divert rulers from the frivolities of courtiers and to direct them towards the truths of philosophy. The *Policraticus*, a 'great twelfth-century masterpiece'⁶⁰ is unrivalled in its scope and ambition and its author was one of the most learned writers in a period of great scholars and writers—the so-called 'Twelfth-Century Renaissance'.⁶¹

John's use of Cicero is in some ways broader and less prejudiced than William's, but far less thorough, a circumstance which has much to do with the nature and purpose behind the two works in question, the *Polyhistor* and the *Policraticus*. John uses about fifteen works, mainly the philosophical works, and no speeches. This preference, is, of course, to be explained by the themes of his *Policraticus*. Cicero was, for John, a decidedly secondary reference—behind the Bible, patristic writers, including Augustine's *City of God*, the Latin poets, the *Digest* and other Roman Law references, and, finally, the 'collectors' like Valerius Maximus, Macrobius *Saturnalia* and Aulus Gellius. John thus displays a preference decidedly against modern tastes. He is completely unconcerned with philological or authenticity aspects. In some cases he uses Cicero's name

60 Joseph B. Pike (trans and ed.) *Frivolities of Courtiers and Footprints of Philosophers, being a translation of the first, second and third books and selections from the seventh and eighth books of the 'Policraticus' of John of Salisbury* (N.Y.: Octagon, 1972) p. v. This translation (which includes the shorter *Enthetikus*) was made to accompany the translation by John Dickinson of the rest of the *Policraticus*, which appeared as *The Statesman's Book* (N.Y.: Knopf, 1927). Since then further translations have appeared, for which see Nederman (n. 61 below) pp. 87–88. For the original Latin of the *Policraticus*, see Nederman (n. 61 below) p. 87. I have based my discussion of John on the portions of the *Policraticus* translated by Pike and Dickinson, though the latter's source annotations are not ideal. Interested readers can, of course, pursue this investigation in all the works of John—the Latin editions of the *Policraticus*, the *Metalogikon*, the longer *Enthetikus* and elsewhere. The main point here is that the Cicero references discussed in the present paper will be less than those that could be assembled by a more extended search.

61 On which phenomenon see R. L. Benson and Giles Constable (eds) *Renaissance and Renewal in the Twelfth Century* (Cambridge, Mass.: Harvard University Press, 1982). For basic bibliography on John of Salisbury, see the excellent biography by Cary J. Nederman *John of Salisbury* (Tempe, Arizona [Medieval and Renaissance Texts and Studies, 288] 2005) and Michael Wilks (ed.) *The World of John of Salisbury* (Oxford: Blackwell [Ecclesiastical History society] 1994).

and even the title of the work used; in other cases he makes an unacknowledged remark that the editor traces to Cicero. His uses are often to provide a proverb or generality about the topic he is discussing, sometimes an anecdote and sometimes he cites Cicero simply as an authority to guarantee a statement or an assertion (such as that frugality is the praiseworthy origin of virtue and good works).⁶² At times he uses Cicero extensively to provide a point of important discussion. A brief survey of the works he cites will illustrate these points.

The text most used by John is the *De officiis*. At least twenty-eight passages are cited in the notes to the *Policraticus*, sometimes to support philosophical assertions or premises, such as the fact that no one can undertake anything successfully that is contrary to the bent of their talent, or that careless lavishness has no bottom, or that a man of wisdom is never lonely, or the obligations of liberality;⁶³ sometimes Cicero is adduced to discuss Stoic, Aristotelian or Epicurean philosophical viewpoints,⁶⁴ or else to provide suitable anecdotes and examples, such as Philip's reproof of Alexander the Great's expenditure.⁶⁵ There are some fifteen citations from Cicero's *De re publica* and the commentary on the *Dream of Scipio* by Macrobius. The famous fragment comparing the Emperor with a pirate is picked up,⁶⁶ and Scipio's disquisition upon the nine circles or spheres that surround the earth is mentioned.⁶⁷ Macrobius is used to supply details on the soul's musical harmonies, on the troubled dream, on insomnia, on the nightmare and similar topics.⁶⁸ An almost similar number of citations from the *De Amicitia* can be mentioned,⁶⁹ although some, such as Cicero's reference to his 'dull wit' are repeated.⁷⁰ Six or seven references each are found to the *Tusculan Disputations*⁷¹ and the *De finibus bonorum et*

62 Pike p. 374.

63 Pike pp. 265, 306, 358, 378.

64 Dickinson p. 100, Pike pp. 139, 301–02, 391.

65 Pike pp. 301–02.

66 Pike p. 204.

67 Pike p. 176.

68 Pike pp. 31, 75–76.

69 Pike pp. 26, 107, 158, 59, 166, 171, 175, 189, 192, 196, 211, 335.

70 Pike pp. 107, 175, 335: 'Agamus igitur pingui, ut aiunt, Minerva', *De amicitia* 19, *Cicero 'De senectute', 'De amicitia', 'De divinatione', with an English translation by William Armistead Falconer* (London: Heinemann, 1923) pp. 128–29.

71 For example Pike pp. 95, 225, 235, 239, 341, 374, 378, on elements in the stars, the meaning of philosophy, Plato and Aristotle as stylists, on academic truth and probability, on philosophy as the directress of the whole field of civility and on praise of frugality.

malorum.⁷² The *De inventione* comes next, with seven citations.⁷³ The remaining works used, in approximate order are: *De divinatione*,⁷⁴ *De natura deorum*,⁷⁵ the *Rhetorica ad Herennium*,⁷⁶ the *Topica*,⁷⁷ the *De oratore*,⁷⁸ the *De senectute*,⁷⁹ the *Academics*,⁸⁰ the *Brutus*,⁸¹ the *De legibus*.⁸²

This selective and partial indication of John of Salisbury's dependence upon Cicero will conclude with a discussion of his two references to the *De oratore*, a rare and little used work, despite its high reputation today. That John knew it seems to be indicated by two references, one to 'poet's license' and the other to the eloquence of Curio.⁸³ Nevertheless, a seasoned teacher of rhetoric in the twelfth century, a certain Alanus (possibly Alan de Lille),⁸⁴ had occasion in his glosses on the *Ad Herennium*, to write:

The words 'to Herennius' [in the title of the book] are added to distinguish it from the 'Rhetoric of Locations' [the *De inventione*], which Tully wrote, and [it is] to [be] distinguished from that [other] book to which he gave the similar title of 'On the Orator' [*De oratore*], which we do not have access to . . .⁸⁵

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- 72 Pike pp. 172, 218, 235, 242, 336, 396, on habit becoming second nature, on Stoic and Epicurean bones of contention, on Aristotle and Plato as stylists, on the beauty of wisdom—if a woman all would fall in love with her, on Crassus smiling but once in his life, on things in themselves being indifferent.
- 73 Pike p. 172, Dickinson p. 75, Pike pp. 263, 269, 343, 391, 394, mostly general matters rather than specifically rhetorical doctrines.
- 74 Pike pp. 44, 48, 51.
- 75 Pike p. 107, Dickinson p. 132, Pike pp. 217–18, 225.
- 76 Pike p. 172, Dickinson p. 241, Pike p. 370, on general rather than technically rhetorical aspects.
- 77 Three references, on the definition of equity (iv sect. 23), Aristotle's Peripatetic school and its emphasis upon reason (ii sect. 6) and the attractiveness of Aristotle's style (i sect. 3).
- 78 See below.
- 79 A single reference: Pike p. 34.
- 80 Pike pp. 10, 218–19, 221; John considers himself 'an academic.'
- 81 Pike p. 213, *Brutus* sect. 187 translated and edited G. L. Hendrickson, (Cambridge, Massachusetts, Harvard University Press, 1938) pp. 158–59. A very slight reference.
- 82 Pike p. 163; I cannot see any evidence that John used this passage.
- 83 Pike pp. 384 and 415, *De or.* III xxxviii 153 and II xxiii 98, translated by H. Rackam (Cambridge, Mass., Harvard University Press, 1977) pp. 120–21 and translated by E. W. Sutton and H. Rackam (Cambridge, Mass., Harvard University Press, 1976) pp. 270–71. For the manuscript history of the *De oratore* see Reynolds *Texts and Transmission* pp. 102–09.
- 84 See J. O. Ward 'Alan (of Lille?) as Rhetor', Cox and Ward (n. 22 above) p. 517.
- 85 Cox and Ward p. 427.

In fact, in all the normally known commentaries on the *De inventione* and *Ad Herennium*, little or no use is ever made of the *De oratore*,⁸⁶ and we have only recently become aware of a routine rhetorical textbook (of the fourteenth century) which *does* make use of that text.⁸⁷ It has always been a puzzle why medieval students of rhetoric paid close attention to the so-called 'juvenilia' of Cicero rather than to his mature oratorical works, especially since Lupus of Ferrières—the first person in the Middle Ages to mention Cicero's *De oratore*—took the trouble to write out, in beautiful Carolingian minuscule, most of the text—as much of it as he could find.⁸⁸ Lupus of Ferrières was extensively engaged in textual research and the texts of Cicero;⁸⁹ he also knew Quintilian's *Institutes* and other rhetorical works of Cicero,⁹⁰ but we have no indication as to the use he put this knowledge to. The answer to this 'puzzle' is one of the great weaknesses in the medieval 'reception' of Cicero: mediaeval users were not interested at all in establishing, in the modern manner, detailed and authentic texts of Cicero, or investigating the details of his life and times to recreate the 'reality' behind the production of his works. They did not want to learn *about* Cicero, they wanted to learn *from* him (see chapter 13, 346). He was an established authority, he wrote in a (mostly) stylistic and elegant manner and he wrote detailed works on topics they wanted to learn about. It was enough therefore to copy out the works they were interested in, to try and fill lacunae and to learn from those texts. That was all. They were not even concerned to work out that the consequences of the obvious fact that the *Ad Herennium* was clearly *not* the work foreshadowed at the end of the *De inventione*: 'quae restant in reliquis dicemus'.⁹¹ The fullest comment on this problem that we can find, occurs in a Durham manuscript reporting a commentary from the early twelfth century. In this discussion it is clearly recognized that the *Ad Herennium* is *not* the text anticipated at the end of the *De inventione* and the commentator wonders that there is no reference to Herennius at the end

86 Nederman 'The union of wisdom and eloquence' p. 84 refers to 'the sole reference' to the *De oratore* in Thierry of Chartres' twelfth-century commentary on the *De inventione*.

87 See John O. Ward 'The Development of Medieval Rhetoric', forthcoming in the *Oxford Handbook of Rhetorical Studies*, ed. Michael MacDonald.

88 Charles Henry Beeson *Lupus of Ferrières as Scribe and Text Critic, a study of his autograph copy of Cicero's 'De oratore', with a facsimile of the manuscript* (Cambridge, Massachusetts: Mediaeval Academy of America, 1930) pp. 3, 9.

89 See Reynolds pp. 68,

90 See P. K. Marshall 'The Learning of Servatus Lupus: some additions', *Mediaeval Studies* 41 (1976) pp. 514–523. Marshall considers Cicero to be the classical author 'best known, and most frequently used, by Lupus' (p. 515).

91 Trans. Hubbell (n. 16 above), pp. 344–45.

of the *De inventione*. As explained elsewhere, the eventual resolution of these problems was entirely medieval: the *De inventione* was the 'first'; rhetoric, and its 'errors' were 'corrected' in the 'second' rhetoric, that is, the *Ad Herennium*.⁹² To no one did it occur that the *Ad Herennium* might not be the work of Cicero, a circumstance now taken for granted, and dating from the very end of the fifteenth century A.D.⁹³

Finally, a note that it was not only men who read Cicero! Abelard, the celebrated philosophical pioneer of the first half of the twelfth century A.D., is recently discovered to have written an early letter to his then student (and sweetheart), Heloise, a young woman remarkable throughout France for her knowledge and linguistic skills, in the following terms:

To the only disciple of philosophy among all the young women of our age, the only one on whom fortune has completely bestowed all the gifts of the manifold virtues, the only attractive one, the only gracious one, he who through your gift is nourished by the upper air,⁹⁴ he who lives only when he is sure of your favour: may you advance ever further—if she who has reached the summit can advance any further . . . I admire your talent, you who discuss the rules of friendship so subtly that you seem not to have read Tully but to have given those precepts to Tully himself! . . . I am inferior in every way, because you surpass me even when I seemed to surpass you. Your talent, your command of language beyond your years and sex, is now beginning to extend itself into manly strength . . .⁹⁵

This obvious reference to Heloise's command of Cicero's *De amicitia*⁹⁶ is a profound tribute, from one of the most learned men of the first half of the twelfth century. These two, united in their love of letters and their search to throw light on their own emotions by reading widely in the classics, have obviously

92 See on all of this J. O. Ward *Ciceronian Rhetoric in Treatise, Scholion and Commentary* (Brepols: Turnhout, 1995 [Typologie des Sources du Moyen Age Occidental fasc. 58]) pp. 147–52.

93 See J. O. Ward 'Master 'Manegold' (of Lautenbach?) and Master William of Champeaux,' n. 23 above.

94 Vergil, *Aeneid* 1.546.

95 Constant J. Mews and Neville Chiavaroli *The Lost Love Letters of Heloise and Abelard* (NY: Palgrave, Macmillan: 2008, 2nd edition) pp. 255–57. The ascription of these letters is to some controversial, but I am myself entirely convinced of the correctness of the position taken up in the book by Mews and Chiaravoli.

96 See further Heloise's letter 25, Mews and Chiavaroli pp. 234–237 and her letter 49, pp. 250–55.

found in the *De amicitia* a source of enlightenment and a challenge to their own thinking, just as the Cistercian abbot Ailred of Rievaulx did a little later, in the middle of the same century.⁹⁷

We must conclude then, by observing that in view of the interests of medieval readers, it is remarkable that so much of Cicero's work has survived. That it did so was due no doubt to the serious Latinity of medieval intellectuals, and to the availability of Cicero manuscripts at various times. The origins of our own philological interest in Cicero, however, is not a debt we owe to the Middle Ages. Rather we owe it to the Italian Renaissance, but the zeal of that later age would have been wasted had not the Carolingian scholars and copyists done the work that they did on the ancient author. For that work, we all owe the greatest of debts, whatever motivated it.

97 See his *Spiritual Friendship*, ed. Marsha Dutton, translated Lawrence C. Braceland (Collegeville, Minnesota: Liturgical Press, 2010 [Cistercian Studies Series]).

PART 6

Cicero Restored



Cicero, Voltaire, and the *Philosophes* in the French Enlightenment

Matthew Sharpe

In 1749, newly resident in Paris after the death of Madame du Châtelet, Voltaire penned *Rome Sauvée ou Catilina*. The play's title notwithstanding, Voltaire underscored in his "Preface" what the play's action makes abundantly clear: that Cicero, not Catiline, was the author's central concern:

What I wanted to represent in this tragedy was less the rebarbative soul of Catiline than the generous and noble soul of Cicero . . . [C'est ce qu'on a voulu représenter dans cette tragédie: c'est moins encore l'âme farouche de Catilina, que l'âme généreuse et noble de Cicéron . . .]¹

Rome Sauvée was Voltaire's response to his rival Crébillon's *Catilina*: a play about the same conspiracy against the Roman Republic in 63 B.C.E., ended by Cicero's executive action, which Voltaire's tragedy re-stages. But whereas Crébillon had set out to blacken the name of the Roman philosopher-politician, Voltaire's aim was to show Cicero in glowing lights. For the author of *Rome Sauvée*, Cicero was not simply "the greatest Roman philosopher, as well as the most eloquent [le plus grand philosophe des Romains, aussi bien que le plus éloquent]". He was also a man of irreproachable virtue: the public servant who had saved Rome "despite the senate, half of which was animated against him by the most violent envy [malgré le sénat, dont la moitié était animée contre lui par l'envie la plus violente]", in this way preparing "his ruin by the most exemplary service that ever a man rendered his nation [sa ruine par le service le plus signalé que jamais homme ait rendu à sa patrie]." Crébillon's Cicero, a coward as well as a villain, had not baulked at arranging for his own daughter to marry Catiline: far from doing all that was needed to defend the Roman Republic in its hour of peril. Voltaire's Catiline, by contrast, is a traitor to his own wife, the duplicitous murderer of his father-in-law, as well as a villainous conspirator against his *patria*. Voltaire's Cicero never falters in his

¹ Voltaire, "Preface de Voltaire" to *Rome Sauvée* at www.mediterranees.net/histoire_romaine/catilina/voltaire/preface.html, last accessed December 2014.

unyielding assessment of the criminal, nor his resolve to do whatever he must to foil Catiline's seditious plans. He is as magnanimous in his hopes for the brilliant young Julius Caesar, who waits in the wings being courted by both sides, as he is sage in his prescience concerning the young man's dangerous ambitions.

A telling moment comes in Act 1, Scene 5: Cicero's first exchange in the tragedy with Catiline. Voltaire's hero justifies the intransigence he is already showing to the rebel, whose intentions we know, but who has yet to show his hand. "To your pretensions [Catiline] I might perhaps have yielded", Voltaire's Cicero declares:

... If you had been what you ought to be.
 Hereafter you may support the state, but to be a consul,
 It is fit you should first be a citizen.
 Do you think to weaken my glory and my power
 By insinuations about my fortune, my fame and my birth?
 In these unhappy times, amidst all our corruption,
 Does Rome have need of great names? No, it has need of virtues,
 And my glory has ever been (and to this I owe these severe virtues),
 That I should take nothing from the grandeur of my forebears.
 My nobility hails from myself alone: and let your jealous honor
 Tremble, lest your name not end with you . . .

A vos prétentions j'aurais cédé peut-être,
 Si j'avais vu dans vous ce que vous deviez être.
 Vous pouviez de l'état être un jour le soutien:
 Mais pour être consul, devenez citoyen.
 Pensez-vous affaiblir ma gloire et ma puissance,
 En décrivant mes soins, mon état, ma naissance ?
 Dans ces temps malheureux, dans nos jours corrompus,
 Faut-il des noms à Rome ? il lui faut des vertus.
 Ma gloire (et je la dois à ces vertus sévères)
 Est de ne rien tenir des grandeurs de mes pères.
 Mon nom commence en moi: de votre honneur jaloux,
 Tremblez que votre nom ne finisse dans vous.²

2 Voltaire, *Rome Sauvée*, Act 1, Scene 5, at www.mediterranees.net/histoire_romaine/catilina/voltaire/voltaire1.html, last accessed December 2014.

Many in *Rome Sauvée*'s audiences would have been struck by this particular Ciceronian rebuff to Catiline. To say nothing of the classical parallel with Cicero's epic hero Marius,³ it bears an uncanny resemblance to the sharp reply which the younger Voltaire himself had levelled to the Chevalier du Rohan's query ("who is this young man who talks so much?") at the Duc du Sally's château, way back in 1726. Voltaire had replied, without flinching: "he is one who does not have a great name, but wins respect for the name he has." This defiance would see Voltaire first beaten by the Chevalier's hired men, then imprisoned in the Bastille courtesy of a *lettre de cachet*, then exiled to Britain.⁴ In his *Life of Voltaire*, Condorcet underscores the depth of the philosophe's identification with the *novus homo* Cicero, to the point of literally playing Cicero's part in private performances of *Rome Sauvée*:

Rome Saved is a masterpiece of style and reason, in which Cicero appears in all dignity and eloquence; in which Caesar speaks and acts like a man born to reduce Rome to subjection, to overwhelm his enemies by his glory, and obtain pardon for tyranny by the force of his talents and virtues. Catiline is a villain, but one who seeks to excuse his vices by example, and his crime by necessity. Republican energy and Roman passion entirely possess the poet. Voltaire had a small theatre on which he acted his pieces, and where he often played the part of Cicero. Never, it can be said, was the identification of actor and example more complete...⁵

Voltaire's *Rome Sauvée*, and the near-adulation its author pours upon "Tully" is however not unique amongst the writings of the French *lumières*. Nor is it isolated even in Voltaire's own *œuvre*. "Cicero" is one of just seven ancient philosophers (alongside Aristotle, Hypatia, Plato, Socrates, Xenophanes and Xenophon) to whom Voltaire dedicates a named entry in the final version of the *Dictionnaire Philosophique*. Yet it would be just as accurate to number Marcus Tullius as one of the nine classical Greek and Roman *politiques* whom

3 Cf. Sallust, *Jug.* 85.29–30.

4 See Peter Gay, *The Party of Humanity: Essays in the French Enlightenment* (Princeton: Princeton UP, 1959), 17; Will Durant, "Voltaire", in *The Story of Philosophy* (Simon & Shuster: USA, 1960), 206.

5 Condorcet, *Vie de Voltaire* Édition Garnier (*Vie de Voltaire*, Condorcet, *Œuvres complètes de Voltaire*, tome 1), 226–227, at fr.wikisource.org/wiki/Vie_de_Voltaire_par_Condorcet/%C3%89dition_Garnier, last accessed December 2014; cf. Andrew R. Dyck, "Introduction: Influence throughout the centuries", in *Cicero Catilinarians* ed. Andrew R. Dyck (Cambridge: Cambridge UP, 2008), 15.

the *Dictionary* honors with a separate entry.⁶ For like *Rome Sauvée*, Voltaire's "Cicero" is devoted less to examining Cicero's philosophical legacy than to defending ardently his political name against accusations "at a time when, in France, the fine arts are in a state of decline; in an age of paradox, and amidst the degradation and persecution of literature and philosophy."⁷ Cicero's finest hour came, Voltaire claims, on the day when his Consulship expired, and he claimed above an uproar that: "I swear . . . I have saved the country.' The assembly cried out with delight and enthusiasm, 'We swear that he has spoken the truth.'"⁸

Long before *Rome Sauvée*, however, and six years before his own *Lettres Persanes* arguably sounded the first salvos of the French enlightenment, a young Charles-Louis de Secondat, Baron de Montesquieu has penned a similarly laudatory "Discourse on Cicero". So panegyric is the 1717 "Discourse" in fact, that the mature author later regretted its exhaltatory tone, and qualified its content. "Cicero is, of all the ancients, the one who had the most personal merit, and whom I would prefer to resemble", the young Montesquieu began: "there is not one of them who had possessed finer and greater qualities, who had loved glory more, who had acquired for himself a more solid glory . . ."⁹ In the paragraphs that follow, one by one, Montesquieu hymns a complete profile of virtues he sees in Marcus Tullius Cicero: Cicero's rhetorical abilities, his love of glory, his originality as the thinker who "rescued philosophy from the hands of scholars, and freed it from the confusion of a foreign language,"¹⁰ his scepticism concerning the disputes of the schools and ancient superstitions, and the uprightness of his political actions as self-styled defender of the liberty of the Romans. For him, Cicero's greatest moment came not at the end of the consulship, but when Brutus, having killed Caesar, is reported to have cried out "Cicero!"

6 Viz. alongside Augustus, Caesar, Cato, Constantine, Cyrus, Diocletian, Julian, Theodosius.

7 Voltaire, "Cicero", in *Philosophical Dictionary* trans. William F. Fleming (Derived from The Works of Voltaire, A Contemporary Version (New York: E. R. DuMont, 1901), with a Critique and Biography by John Morley, notes by Tobias Smollett). at ebooks.adelaide.edu.au/v/voltaire/dictionary/complete.html#chapter121, last visited December 2014.

8 Voltaire, "Cicero", in *Philosophical Dictionary* at ebooks.adelaide.edu.au/v/voltaire/dictionary/complete.html#chapter121, last visited December 2014.

9 Montesquieu, "Discourse on Cicero", trans. David Fott, *Political Theory* Vol. 30, No. 5 (Oct., 2002), pp. 733–737.

10 Montesquieu, "Discourse on Cicero," 734.

And, whether he was calling him to his aid, or wishing to congratulate him on the liberty that he had just returned to him, or whether, finally, this new liberator of the country was declaring himself his rival, he bestowed on him in one single word the most magnificent praise that a mortal had ever received.¹¹

We may still today find Montesquieu's youthful enthusiasm excessive, relative to what a more scholarly temperament permits. But we know that the "Discourse"'s panegyric was based on a thorough familiarity with *De Natura Deorum*, *De Fato*, *De Divinatione*, *De Senectute*, *De Amicitia*, and *De Legibus*. The last century saw over 60 pages of the young Montesquieu's annotations on Cicero's *Opera* (in the 1565 Latin edition of Dionysius Lambino) uncovered. These notes, to which we will return, date from around the time of the "Discourse" and the near-contemporary 1716 *Dissertation sur la politique des Romains dans la religion*.¹² Cicero's exemplary ethical status is certainly qualified in 1734's *Considérations sur les causes de la grandeur des Romains et de leur décadence*. The ethical laurel here is given to Cato. Cicero, we are now told, was not only politically fallible: a limitation shown by his under-estimation of the young Octavian. His love of glory, however typical of the mores of the times, is also not unproblematic. Montesquieu echoes an ancient criticism, hearkening back at least to Plutarch:¹³

Cicero had a fine genius, but an often common soul; what was accessory to Cicero was virtue, to Cato it was glory; Cicero always saw himself as first, Cato always forgot about himself; the latter wanted to save the Republic for itself, the former in order to boast of it ["il avait un beau génie, mais une âme souvent commune; l'accessoire chez Cicéron c'était la vertu, chez Caton c'était la gloire; Cicéron se voyait toujours le premier, Caton s'oubliait toujours; celui-ci voulait sauver la République pour elle-même, celui-là pour s'en vanter."]¹⁴

11 Montesquieu, "Discourse on Cicero", 736.

12 Cf. Louis Benitez, "Les Années de Apprentissage: Montesquieu, Lecteur au Cicéron," at www.montesquieu.it/biblioteca/Testi/Montesquieu_cicéron.pdf, pp. 3–4.

13 Cf. Plutarch, "Life Cicero," *The Parallel Lives by Plutarch*, published in Vol. VII of the Loeb Classical Library edition, 1919, para. 6.4 (p. 97) at penelope.uchicago.edu/Thayer/E/Roman/Texts/Plutarch/Lives/Cicero*.html, last accessed December 2014.

14 Andrivet, "Cicero", *Dictionnaire Montesquieu*, at dictionnaire-montesquieu.ens-lyon.fr/fr/article/1367157852/en/, last accessed December 2014, para. 7.

Nevertheless, Montesquieu still cites Cicero's correspondence and speeches as "an irreplaceable witness for his time".¹⁵ In his great work, *L'Esprit des lois* of 1749, whenever Cicero is cited—as he is concerning the wrongfulness of privileges (as against general laws), in defence of property against agrarian laws like those proposed by the Gracchi, or for his desideratum "that no war be undertaken which has not peace for its object"¹⁶—it is with praise. Cicero remained an interlocutor for Montesquieu throughout the latter's *Pensées* ("a few reflections or isolated thoughts that I have not put into my works", "ideas that I have not developed, or which I am keeping to think about them when I can" ["quelques réflexions ou pensées détachées que je n'ai pas mises dans mes ouvrages", "idées que je n'ai point approfondies, et que je garde pour y penser dans l'occasion", *Pensées*, nos. 1 and 2]) which Montesquieu kept throughout his life. In a letter to the bishop of Soissons responding to the latter's concern regarding Montesquieu's praise of Stoicism in *L'Esprit des lois*, Montesquieu explained that: "about thirty years ago, I conceived the project of writing a book on duty. Cicero's treatise *On Duties* had enchanted me, and I took it as my model [("[...] il y a environ trente ans que je formai le projet de faire un ouvrage sur les devoirs. *Le Traité des offices* de Cicéron m'avait enchanté et je le prenais pour mon modèle] ...". But the project was never fulfilled, not simply because of Montesquieu's dissatisfaction with Panaetius' division of the duties: "above all I feared such a rival in Cicero; and it seemed to me that my mind was not equal to his [et surtout je craignis un rival tel que Cicéron; et il me semblait que mon esprit tombait devant le sien] ...".¹⁷

Montesquieu's and Voltaire's passionate engagements with the life and legacies of Marcus Tullius Cicero epitomise the way that the 18th century can be rightly described as one of the highpoints in Cicero's reception.¹⁸ In Voltaire's words again, from the Preface to *Rome Sauvée*, "his name is on everyone's tongue and his writings in everyone's hands [son nom est dans toutes les bouches, ses écrits dans toutes les mains]."¹⁹ Indeed, as Peter Gay has done

15 Andrivet, "Cicero", *Dictionnaire Montesquieu*, at dictionnaire-montesquieu.ens-lyon.fr/fr/article/1367157852/en/, para. 8, last accessed December 2014.

16 Andrivet, "Cicero", *Dictionnaire Montesquieu*, at dictionnaire-montesquieu.ens-lyon.fr/fr/article/1367157852/en/, para. 13, last accessed December 2014.

17 Montesquieu, at Peter Gay, *The Enlightenment: An Interpretation. Volume 1: The Rise of Modern Paganism* (New York: W. W. Norton & Co., 1995), 50. Cf. Andrivet, "Cicero", at *Dictionnaire Montesquieu*, paragraph 13.

18 See Zielinski, *Cicero im Wandel der Jahrhunderte*, fifth edition (Darmstadt: Wissenschaftliche Buchgesellschaft, 1967), chapter 18.

19 Voltaire, "Preface" to *Rome Sauvée*, at www.mediterranees.net/histoire_romaine/catilina/voltaire/preface.html, last accessed December 2014.

most to document, Cicero's was a name to conjure with on both sides of the English channel amongst that "little flock" of thinkers who self-consciously identified themselves with the enlightenment's hope that a new age of intellectual, social and political reform was dawning. "The fame of Cicero flourishes at present, but that of Aristotle is utterly destroyed," David Hume observed of his time.²⁰ Hume himself drew deeply from the well of Cicero's *oeuvre*, deriving from it much material for his philosophical and theological scepticism, but also his theory of the virtues.²¹ "I read with application and pleasure all the epistles, all the orations, and the most important treatises of rhetoric and philosophy," Edward Gibbon likewise recalled in his *Autobiography*.²²

Cicero in Latin and Xenophon in the Greek are indeed the two ancient authors whom I would first propose in a liberal scholar, not only for the merit of their style and sentiments, but for the admirable lessons which may be applied almost to every situation of public and private life.²³

For Diderot, no less than for his illustrious Gallic predecessors Voltaire and Montesquieu or his near-contemporaries across the English channel, Cicero was "a prodigy of eloquence and patriotism";²⁴ as well as "the first of the Roman philosophers."²⁵ Cicero's *De Natura Deorum*, *De Divinatione*, and *De Officiis*, Peter Gay opines, in light of this and other testimony, were the three books that "more than any other product of ancient culture, survived to shape the enlightenment."²⁶ This is a significant claim from an author who claims that the enlightenment *per se* involved the bringing together of "ancient philosophy plus modern science."²⁷

Harold T. Parker's important study *The Cult of Antiquity and the French Revolutionaries*²⁸ has done much to bear out why it was that, per Marx's

20 Gay, *Enlightenment*, 105.

21 "Upon the whole, I plan to take my Catalogue of Virtues from Cicero's *Offices*, not from *The Whole Duty of Man*. I had, indeed, the former work in my Eye in all my Reasonings . . ." Hume, letter to Hutcheson, cited at Gay, *Enlightenment*, 66.

22 At Gay, *Enlightenment*, 56; cf. chapter 14.

23 At Gay, *Enlightenment*, 189.

24 At Gay, *Enlightenment*, 105.

25 At Gay, *Enlightenment*, 109.

26 At Gay, *Enlightenment*, 109.

27 Peter Gay, *The Party of Humanity: Essays in the French Enlightenment* (Princeton: Princeton UP, 1959), 11.

28 Harold T. Parker, *The Cult of Antiquity and the French Revolutionaries: a Study in the Development of the Revolutionary Spirit* (Chicago: University of Chicago Press, 1937).

famous assessment, “the Revolution of 1789–1814 draped itself alternately in the guise of the Roman Republic and the Roman Empire.”²⁹ Parker uncovers the syllabi taught at Jesuit colleges that unwittingly raised the revolutionary generation. He examines the speeches of the leading protagonists in the fateful years surrounding 1789, looking for their classical and modern citations. By doing so, he vividly documents the extent to which the educated élites of 18th century France were steeped in Roman literature, philosophy, and history, with Cicero in the front-rank. Indeed, with 83 citations in the National Assembly, Legislative Assembly, National Convention, and leading revolutionary newspapers in the revolutionary period, Cicero was on the pens and tongues of the revolutionaries over twice as often as any other ancient or modern author (Plutarch and Horace, with 36 citations, come next, while Voltaire, for a contrasting example, was cited only 7 times).³⁰ The pre-revolutionary France of the 18th century, that is, was a cultural world in which the direct cultural lineage tying the educated, mostly male elites back to Roman (and to a lesser extent, Greek) classical culture remained intact in a way we can scarcely imagine today.³¹ As John Valdimir Price comments in a paper on “Sceptics in Cicero and Hume”, classically educated European men like Hume in this period could invoke Tully, Ovid, or Caesar as contemporary school children trade jibes concerning contemporary sporting heroes.³²

Montesquieu's *Considérations* on the rise and decline of Rome, to take just historiography, was one of three competing accounts of the same subject published by French authors in the opening decades of the 18th century: following René Aubert de Verrot's *Histoire des révolutions arrivée dans le gouvernement de la République Romaine* (1719) and François Catrou and Pierre-Julien Rouille's *Histoire romaine depuis la foundation de Rome* (1725).³³ In France in particular, indeed, how Roman history was read—including, centrally, how one assessed the episodes surrounding the fall of the Republic and rise of the Principate in which Cicero was a key protagonist—was a charged political subject. It had bearing on competing accounts of the origins of the French monarchy

29 Karl Marx, “The Eighteenth Brumaire of Louis Napoleon”, at www.marxists.org/archive/marx/works/1852/18th-brumaire/cho1.htm, last accessed December 2014.

30 Parker, *Cult of Antiquity*, 18–19.

31 On the widespread, perceived superiority of classical Roman over Greek culture in this period, see Gay, *Enlightenment*, 94–121.

32 John Valdimir Price, “Sceptics in Cicero and Hume,” *Journal of the History of Ideas*, vol. 25, no. 1 (Jan–Mar. 1964), 97.

33 Edward G. Andrew, *Imperial republics: revolution, war, and territorial expansion from the English Civil War to the French Revolution* (Toronto: University of Toronto Press, 2011), 114–139.

and feudal orders championed by advocates of the rival *thèse royale* (which traced the French monarchy back to an alleged grant from Emperor Justinian) and the *thèse nobiliste* (which assigned the origins of the French crown, and *parlement*, back to German origins).³⁴ Assessments of the causes of the greatness of the Roman republic, particularly touching the question of whether republican virtue of the kind championed by Brutus, Cato and Cicero was only possible or desirable in smaller states—not larger commercial states like modern France—meanwhile lay at the heart of debates amongst republicans.³⁵ They would take on particular vehemence after July 1789. How the moderns should assess Cicero in particular, whether his advocacy or oratory was effeminate (“the frivolous eloquence that is the object of study and delight of futile men”),³⁶ and whether, contra Voltaire, he had acted falsely against Catiline in 63 B.C.E., were politically divisive matters and markers. Jean-Jacques Rousseau felt bound to include the consideration of Cicero’s rhetoric in the *First Discourse* (remarkably, he favours Antony over Cicero).³⁷ In a way which in context amounts to a pointed rebuttal of Voltaire’s *Rome Sauvée*, Rousseau also sets aside time to criticise Cicero’s dictatorial actions against Catiline in Book IV of his *Social Contract*: blaming him for indecision, and then for setting a precedent for the rule by executive which Caesar, then Augustus, would soon render permanent.³⁸

Given the centrality of classical Rome to the French enlightenment, and the centrality of Cicero within lettered French culture in this “age of reason”, we might expect there to have been a wealth of scholarly writings on Cicero’s reception amongst the *lumières*. Yet this is not the case. Hans Baron’s magnificent *Cicero and Roman Civil Spirit in the Middle Ages and Early Renaissance*, as its title announces, stops short of the 18th century; as, likewise, the collection

34 See for good accounts of this French political situation Peter Gay, *Voltaire: The Poet as Realist* (USA: Yale UP, 1988); also Franz Neumann, “Montesquieu”, in *The Democratic and Authoritarian State* (Glencoe, Illinois: The Free Press, 1957), 96–148.

35 See eg. for recent articles on this subject, Robin Douglass, “Montesquieu and Modern Republicanism”, *Political Studies* 12, Vol. 60, 703–719; Annelien de Dijn, “Was Montesquieu a Liberal Republican?” *The Review of Politics* 76 (2014), 21–41; & the excellent Keith M. Baker, “Transformations of Classical Republicanism,” *The Journal of Modern History*, Vol. 73, No. 1 (March 2001), 32–53.

36 Rousseau, at Garsten, *Saving Persuasion: A Defence of Rhetoric and Judgment* (Harvard: Harvard UP, 2009), 60.

37 Garsten, *Saving Persuasion: A Defence of Rhetoric and Judgment* (Harvard: Harvard UP, 2009), 60.

38 Jean-Jacques Rousseau, *Social Contract* IV.6.10; cf. David Lay Williams, *Rousseau’s Social Contract: An Introduction* (Cambridge: Cambridge UP, 2014), 183–4.

Cicero Refused to Die: Ciceronian Influence Throughout the Centuries terminates before the *lumières*.³⁹ There is a considerable literature on Cicero's reception in the early British enlightenment, notably in the deists led by John Toland.⁴⁰ Cicero's direct influence on David Hume's scepticism, and his "natural history of religion", has also attracted critical attention (see below), alongside Tully's influence on the political thought and career of Edmund Burke.⁴¹

Yet Cicero's profound influence on the leading figures of the French enlightenment remains a chapter, very largely, to be written. Günter Gawlick has contributed the helpful "Cicero and the Enlightenment"⁴²; and Peter Gay's work is invaluable on this subject, which is central to his larger argument concerning the enlightenment and "the rise of modern paganism". In French, there is a rare 1993 collection of essays on *L'autorité de Cicéron de l'Antiquité au XVIII^e siècle* edited by Jean-Pierre Neraudeau,⁴³ and the *Dictionnaire Montesquieu* has an invaluable entry by Patrick Andrivet on "Cicéron".⁴⁴ (Cicero's importance is also underscored in the Montesquieu's thinking in the articles on "Antiquité (classique)", "Tolération" and "Religion").⁴⁵ Jed E. Adkins' 2014 "A revolutionary doctrine? Cicero's natural right teaching in Mably and Burke" provides an invaluable analysis of Gabriel Monnot de Mably's *Des droits et devoirs du citoyen's* two-fold debt to Cicero: firstly, in its announced aim of being "purely an extended commentary" on *De Republica* 3.33; and secondly, in its setting and action, which both reflect the text's formal modelling on *De Legibus*, as well as

39 Hans Baron, *Cicero and the Roman Civic Spirit in the Middle Ages and the Renaissance*, (Manchester: Manchester UP, 1938); Nancy Van Deusen ed. *Cicero Refused to Die: Ciceronian Influence Throughout the Centuries* (Koninklijke: Brill, 2013).

40 See Katherine A. East, "Superstitionis Malleus: John Toland, Cicero, and the War on Priestcraft in Early Enlightenment England," Volume 40, Issue 7, 2014: 965–983.

41 See Paul McKendrick, *The Philosophical Books of Cicero* (London: Duckworth, 1989), 281–3; Jed W. Atkins, "A revolutionary doctrine? Cicero's Natural Right Teaching in Mably and Burke", *Classical Receptions Journal*, vol. 6, Iss. 2 (2014), 177–197; Peter James Stanlis, *Edmund Burke and the Natural Law* with a new Introduction by V. Bradley Lewis (New Brunswick, New Jersey: Transaction Publishers, 2009), 36; and Robert Bisset, *The Life of Edmund Burke* (London: George Cawthorn, British Library, 1798), 197–207.

42 Günter Gawlick, "Cicero and the Enlightenment", *SVEC* 25 (1963), pp. 657–82.

43 Jean-Pierre Neraudeau ed. *L'autorité de Cicéron de l'Antiquité au XVIII^e siècle*. Actes d'une table ronde organisée par le Centre de recherches sur les classicismes antiques et Modernes, université de Reims, le 11 décembre 1991. Orléans: Paradigme, 1993.

44 Patrick Andrivet, "Cicéron", *Dictionnaire Montesquieu*, at dictionnaire-montesquieu.ens-lyon.fr/en/article/1367157852/fr/.

45 See *Dictionnaire Montesquieu / A Montesquieu Dictionary*, dir. Catherine Volpillac-Auger with the collaboration of Catherine Larrère and English translations by Philip Stewart. At dictionnaire-montesquieu.ens-lyon.fr/en/home/.

its substantive debt to Cicero's theory of natural right and the need to temper law with equity and prudence.⁴⁶

Nevertheless, it is revealing that Matthew Fox's contribution to *The Cambridge Companion to Cicero* on "Cicero during the Enlightenment," is nearly entirely silent concerning the 18th century French reception of Cicero, as both philosopher and man of affairs. Instead, Fox chooses to focus exclusively on British texts. He tracks references to Cicero as a model for "free-thinking" in the popular society and fashion magazine *The Tattler*; then examines John Toland's *Cicero Illustratus* (1712), Toland's prospectus for a planned new edition of Cicero's complete works, followed by Lord Lyttleton's more critical 1733 *Observations on the Life of Cicero*; before finally considering Conyers Middleton's laudatory *History of the Life of Marcus Tullius Cicero*⁴⁷ (a probable source of Voltaire's for *Rome Sauvée*), and its critical reception (See chapter 4).⁴⁸

Fox excuses his choice of these texts, and his omission of the French enlighteners (side glances are given to Swift and Burke, and a sentence on Molière).⁴⁹ He does so by asking us to distinguish between "writers and thinkers who tackle Cicero directly . . . and others (a large number) for whom he is a more general inspiration."⁵⁰ Fox's own focus, as the chapter unfolds, concerns exclusively works of the former kind concerning Cicero the man, not the thinker (see below). He is interested in charting the development throughout the 18th century of a newly critical, scholarly approach to Cicero the *politique* and historical chronicler amongst the British commentators of the 18th century. Given this evolution, they came to "approach [Cicero's] texts in an appropriately sceptical manner," Fox explains.⁵¹ Toland is thus accorded value for asking readers to distinguish Cicero from his characters in the dialogues, an allegedly new step forward.⁵² Lyttleton is praised for standing back from Cicero's self-assessments for long enough to criticise his "hypocritical but dependent attitude to Pompey, and his equally inconsistent relationship with Clodius."⁵³ And Middleton's critics led by Colley Cibber (as against Middleton himself) are lauded for "seeing through Cicero's own presentation of himself" on the way to a "more balanced

46 Jed W. Atkins, "A revolutionary doctrine? Cicero's Natural Right Teaching in Mably and Burke", *Classical Receptions Journal*, vol. 6, Iss. 2 (2014), 177–197.

47 Matthew Fox, "Cicero during the Enlightenment", *Cambridge Companion to Cicero* (Cambridge: Cambridge UP, 2013), 323–335.

48 See Gay, *Enlightenment*, 106–7.

49 Fox, "Cicero during the Enlightenment", 322, 321.

50 Fox, "Cicero during the Enlightenment", 319.

51 Fox, "Cicero during the Enlightenment", 329.

52 Fox, "Cicero during the Enlightenment", 328–329.

53 Fox, "Cicero during the Enlightenment", 330.

account of Cicero.”⁵⁴ Glancing forward to Cicero’s remarkable 19th century fall from grace at the hands of Mommsen *et al.* (Fox mentions W. Drumann), the chapter concludes by stationing Middleton’s critics sceptical responses to his “*Patch-Work Hero*”⁵⁵ as indicative of this “intellectual climate change”:⁵⁶

The reception which the work received reveals eloquently the developing sense of methodology, which was to lead to the establishment of firmer principles of historical analysis in the early nineteenth century, that were to prove highly unfavourable to Cicero’s reputation . . .⁵⁷

Fox’s reading of the British enlighteners’ treatments of Cicero’s political persona in this way, highlighting the “development of a notion of criticism that depends upon the careful encounter with the original text” in the enlightenment, and looking forward from Toland *et al.* to “the more clearly articulated theories of ‘Reception Studies’”,⁵⁸ is valuable on its own terms. With that said, what Fox comments concerning contemporary Ciceronian reception bears on his own argument also:

. . . what is made of Cicero in the Enlightenment today often bears little resemblance to Enlightenment accounts, and to a large extent this is because of changing in thinking about society, education and literature that themselves are the product of those times.⁵⁹

Fox’s second, striking omission (alongside his silence concerning the *lumières*) is thus of Cicero’s status as a philosophical thinker, in the enlightenment and for himself. His reasons for this omission reveal a contestable set of presuppositions, which arguably stand between him or us and a just assessment of the way Cicero was read and debated by Voltaire, Montesquieu and the other *lumières*. These presuppositions concern both Cicero’s thought (Fox claims Cicero’s *oeuvre* “does not have any coherent philosophical system,” in a way which is contestable) and secondly, concerning the enlightenment itself. The latter movement of ideas—or, as critical scholarship today underlines, *movements*—is depicted by Fox as involving “the growing systematisation of ways of

54 Fox, “Cicero during the Enlightenment”, 332, 333.

55 One ‘Oxford Scholar’, cited at Fox, “Cicero during the Enlightenment,” 333.

56 Fox, “Cicero during the Enlightenment”, 320.

57 Fox, “Cicero during the Enlightenment”, 333.

58 Fox, “Cicero during the Enlightenment”, 326.

59 Fox, “Cicero during the Enlightenment”, 319, cf. 326.

thinking about society ... philosophy, science, and economics ...," like to that which he sees in the movement towards more sceptical British assessments of Cicero's political and personal biography.⁶⁰ With this push towards systematisation, Cicero (and antique thought more generally), Fox opines, came progressively to lose "an easily identifiable significance ... Enlightenment thinkers ... did not as a rule think of [Cicero] as the inaugurator of a theoretical vision that could be taken as more than a vague foundation for their own endeavours."⁶¹ These endeavours, we are invited to infer, aimed at the production of large-scale theoretical systems, or perhaps the kinds of methodologically self-aware historiography or social science we recognise and credit in the later modern period.

Yet this vision of the enlightenment cannot be accepted without significant qualifications. It does not stand up besides recent important accounts of the enlightenment led by Peter Gay's and Jonathan Israel's works (both of whom Fox cites),⁶² as well as convergent studies by Dennis Rasmussen, Genevieve Lloyd, and many others.⁶³ The idea of the enlightenment as an age of theoretical system-building, which would have prevented the *lumières* from appreciating the seemingly unsystematic rhetorical and dialogical arts of Cicero, more pointedly, flies in the face of the literary and philosophical *modus operandi* of the leading French *philosophes* themselves. Even the Neo-Kantian Ernst Cassirer for this reason contrasts the 17th century rationalisms of Spinoza and Leibniz with the 18th century *philosophes*.⁶⁴ It in fact would be difficult to think

60 Fox, "Cicero during the Enlightenment", 319.

61 Fox, "Cicero during the Enlightenment", 319.

62 Fox, "Cicero during the Enlightenment", 318, n. 1.

63 Gay, *The Enlightenment: An Interpretation* (in two volumes); Jonathan Israel, *Revolution of the Mind: Radical Enlightenment and the Intellectual Origins of Modern Democracy* (Princeton: Princeton UP, 2011); Jonathan Israel, *The Democratic Enlightenment: Philosophy, Revolution, and Human Rights 1750–1790* (Oxford: Oxford UP, 2013); Genevieve Lloyd, *Enlightenment Shadows* (UK: Oxford University Press, 2013); Dennis Rasmussen, *Pragmatic Enlightenment Recovering the Liberalism of Hume, Smith, Montesquieu, and Voltaire* (Cambridge: Cambridge UP, 2013).

64 Cassirer, *Philosophy of the Enlightenment*, ix: "In the great metaphysical systems of [the seventeenth century]—those of Descartes and Malebranche, of Spinoza and Leibniz—reason is the realm of the 'eternal verities', of those truths held in common by the human and the divine mind. What we know through reason, we therefore behold 'in God'. Every act of reason means participation in the divine nature; it gives access to the intelligible world. The eighteenth century takes reason in a different and more modest sense. It is no longer the sum total of 'innate ideas' given prior to all experience, which reveal the absolute essence of things. Reason is now looked upon rather as an acquisition than as a heritage ... it is rather the original intellectual force which guides the discovery and

of an intellectual movement more deeply sceptical concerning *l'esprit des systèmes* than the generation of French thinkers led by Voltaire, Montesquieu, and Diderot.⁶⁵ Unabashed devotees of Bacon's, Locke's and Newton's empiricisms over what they perceived to be the moribund rationalism championed by the scholastics and Cartesians—and tutored at the feet of Michel de Montaigne's and Pierre Bayle's fideistic Pyrrhonisms⁶⁶—“[i]n their glorification of criticism and their qualified repudiation of metaphysics, the Enlightenment was not an Age of Reason but a Revolt against Rationalism.”⁶⁷ As Sylvana Tomaselli has put it, in her contribution on “Reason” in *The Blackwell Companion to the Enlightenment*:

...it would be mistaken to think of reason as the rallying cry of Enlightenment thinkers except in so far as it was opposed to faith, and the Age of Reason opposed to the Age of Superstition. If one's gaze shifts away from the battles with *l'Infâme*, then the ‘Age of Sentiments,’ ‘Sentimentality,’ ‘Feelings,’ ‘Passions,’ ‘Pleasure,’ ‘Love’ or ‘Imagination’ are apter titles for the movement of ideas in the eighteenth century.⁶⁸

One need only consider the profile of Voltaire's works (indeed, one need only consider *Candide*) to see that the key *lumières* were simply not in the business of building single, systematically articulated theoretical edifices.⁶⁹ Voltaire's

presupposition of truth . . . a kind of energy, a force which is fully comprehensible only in its agency and effects . . .”

65 Peter Gay, *Party of Humanity*, 42: “With repetitive and almost obsessive vehemence, the enlighteners denigrated metaphysics and joked about system-makers . . .” Gay recounts as exemplary Diderot's fabled dream of the building without foundations, its columns reaching to the heavens, surrounded by cripples (systematic philosophy); and the small child (experiment, empiricism) who appears, grows into a giant, and strikes the edifice down: placed amongst the more salacious materials in *Les Bijoux Indiscrets*, at Gay, *Party of Humanity*, 194.

66 On which, see the authoritative study by Richard Popkin, *The History of Scepticism from Savonarola to Bayle* (Oxford: Oxford University Press, 2003).

67 Gay, *Enlightenment*, 141.

68 Sylvana Tomaselli, “Reason”, in *The Blackwell Companion to the Enlightenment*, ed. John W. Yolton (Oxford: Blackwell, 1991), 446.

69 Even Montesquieu, although he admires the modern sciences, does not proceed in a simply systematic manner. Although various threads have been proposed by critics, Voltaire's description of *L'Esprit des Lois* as “a labyrinth without a clue” responds to the lack of any surface plan in the work: Isaiah Berlin has commented that “one of [Montesquieu's] greatest merits lies in the very that, although he claims to be founding a new science in the spirit of Descartes, his practice is better than his professions . . .” at Isaiah Berlin,

oeuvre instead features plays like *Rome Sauvée* (and another Roman play, significantly, on the first *Brutus*), epic poems like the *Henriade*, verse like Voltaire's inflamed poetic response to the Lisbon earthquake of 1755, endless satires, encyclopedia entries, histories, dialogues, *contes* and a huge correspondence, fictive and real. Comparably, Denis Diderot was not simply the tireless commissioning editor of the "systematising" *Encyclopédie*, but the author of histories (including, notably, an *Essai sur les règnes de Claude et de Néron*), philosophical discourses, best-selling (and sometimes highly 'indiscreet') novels, satires, dialogues, dramas, and translations of Plato's *Apology* and *Crito*.⁷⁰ Voltaire's most withering scorn (in *Candide*) is directed at Leibniz, whose systematic theodicy claimed to be able to demonstrate *a priori* that this was the best of all possible worlds; although Thomas and Descartes are also roundly ironised in *Micromegas* and elsewhere.⁷¹

... the philosophes did not disdain pure art, as we know; and treatises like Kant's *Critiques* and Condillac's essays on linguistics are among [the enlightenment's] lasting monuments. Yet the most characteristic mode of its expression was witty, informal, and didactic at once; it was Lichtenberg's aphorisms, Diderot's *Rêve de d'Alembert*, Lessing's *Nathan the Wise*, and Voltaire's *Candide*.⁷²

Once we accordingly topple the idols that have multiplied in the last century of the enlightenment as a naïve, utopian, and system-building "age of Reason,"⁷³

"Montesquieu", in *Against the Current: Essays in the History of Ideas*, Edited by Henry Hardy with a new foreword by Mark Lilla, Introduction by Roger Hausheer (Princeton: Princeton UP, 2013), 137.

70 See, e.g., Will and Ariel Durant, "Chapter xx: Diderot Proteus," in *The Age of Voltaire*, 650–679.

71 Voltaire, *Micromegas: Philosophical History*, in *The Works of Voltaire Volume XXXIII*, translated by Peter Phalen: a Gutenberg e-book, at www.gutenberg.org/files/30123/30123-h/30123-h.htm, last accessed December 2014; especially Chapter VII. The "Preface" to the *Lettres de Memmius à Ciceron* also ironically comments that the philosophy may seem "hardie" for us, since the classical authors had not the fortune to be able to read Saint Thomas (at p. 326; see below).

72 Gay, *Enlightenment*, 197.

73 Cf. Dennis Rasmussen, "Burning Laws and Strangling Kings? Voltaire and Diderot on the Perils of Rationalism in Politics," *Review of Politics*, 73 (2011), 77–104 (opening): "Despite the seemingly unshakable moniker 'The Age of Reason,' it has long been known, at least among those familiar with the scholarly literature on the period, that almost none of the key thinkers who made up the Enlightenment believed that reason alone could or

it becomes possible to see and understand the *philosophes'* very different aim in treating Cicero as the foremost amongst the ancients. They doubtless did not produce the kind of methodologically secured scholarship, addressed to a more or less recondite, closed audience whose emergence Fox seeks out in the 18th century British reception of Cicero. But again, the sufficient reason for this was that they did not want to—although Montesquieu's and Voltaire's histories do build on the historiographical revolution heralded by works like Bayle's *Critical and Historical Dictionary*.⁷⁴ The very proliferation of literary forms in which these philosophes instead chose to write—in France in the 18th century, more than 7500 *contes* were produced (of 200 pages or less); by the end of the century supplanting theological and devotional works in their popularity⁷⁵—attests to these thinkers' lively sense of the need to find media to speak to a wider audience outside of the narrow circles of the clergy, academy and royal courts, facilitated by the growing availability of printed books. The *lumières* famously differed concerning the educability of *les canailles*. (Voltaire, for one, remained a monarchist in the French context, although not in Geneva, in part because of his lack of hope that the French commoners could be immediately enlightened).⁷⁶ Yet they each had no doubt that if religious toleration and civility were to be promoted in France and elsewhere; persecution and censorship

should rule the world. On the contrary, most of the leading thinkers of the eighteenth century held that it is not reason but the passions or sentiments that serve as both the chief motivating force of human action and the ultimate basis from which moral norms are derived . . ." etc. On the remarkable vicissitudes of the reception of the enlightenment since 1914 or 1945, cf. Dennis Rasmussen, "Contemporary Political Science as an Anti-Enlightenment Project," at www.brown.edu/Research/ppw/files/Rasmussen_PPW.pdf, last accessed December 2014.

- 74 On the evolution of modern historiography in this period, see Ernst Cassirer, "The Conquest of the Historical World," *The Philosophy of the Enlightenment*, translated by Fritz C. A. Koellin and James P. Pettegrove, with a new Foreword by Peter Gay (Princeton: Princeton UP, 2009), 197–233.
- 75 Roger Pearson, "The Conte Philosophique and its Readers", in *The Fables of Reason: A Study of Voltaire's "Contes Philosophiques"* (London: Clarendon Press, 1993), 6, note 11; cf. generally pp. 3–19; Will and Ariel Durant, *Age of Voltaire*, 330–335. Cf. *ibid.*, 740 and Voltaire's advice to d'Alembert concerning the superiority of his *Philosophical Dictionary* to the *Encyclopedia* was that "twenty volumes will never create a revolution. It is the little portable volumes of thirty sous that are to be feared. If the gospel had cost 1200 sesterces the Christian religion would never have been established."
- 76 See Peter Gay, "Voltaire's *Idées républicaines*: From Detection to Interpretation," *Party of Humanity*, 55–96.; Jonathan Israel, *Revolution of the Mind: Radical Enlightenment and the Intellectual Origins of Modern Democracy* (Princeton: Princeton UP, 2011), 5–6, 33, 205, 207–208.

combatted and limited; and capital punishment, imprisonment without trial and torture prohibited, their writings would need to reach and be read by the literate professional population. Their goal was to change the shape of educated public opinion, not the minds of a few clerics, patrons, or professors. It is in this vein that Voltaire frankly avows in *Rome Sauvée*'s "Preface" that he has not, in the play, let the truth scholars pursue get in the way of painting Cicero's nobility. The reason is that his aim was "above all to make Cicero known to the young people who frequent the theatres [surtout . . . de faire connaître Cicéron aux jeunes personnes qui fréquentent les spectacles]", who might otherwise remain ignorant of him, outside of bitter memories of school classes in Latin.⁷⁷ *J'écris pour agir* is one of Voltaire's more telling, famous *bon mots*: I write to act.⁷⁸

It would be difficult to find a clearer expression of his debt to Cicero, and it is this public-spirited, pedagogical and political conception of *philosophie* and the *philosophe* in the enlightenment that we need to appreciate. Otherwise, we will be unable to understand those remarkable enlightenment writings on Cicero—verging into the panegyric—that we opened by presenting, in the young Montesquieu's 1717 "Discourse" and Voltaire's 1749 response to Crébillon's *Catilina*. What is at stake is a conception of the *philosophe* as "the thinker in action," to use Gay's formulation.⁷⁹ The *lumière's philosophe* is a thinker who, not content with producing academic treatises, is also a master rhetor and *litterateur*, engaged in the life and issues of his time. Of course, such a philosophical ideal stands at a great distance from philosophy as understood and practiced today: *viz.* as a professionalised discipline with its own highly standardised modes of writing, publication, and recondite audiences. It is because of this metaphilosophical and cultural difference, arguably, that the great French enlighteners (excepting Montesquieu, who remains justly central to political science courses) today suffer from almost-complete academic neglect, outside of dedicated French literature syllabi and studies in the history of ideas. Like Cicero during many periods of his long after-life, the *lumières* are presently either ignored, misrepresented, or written off as shallow popularis-

77 Voltaire, "Preface de Voltaire" to *Rome Sauvée* at www.mediterranees.net/histoire_romaine/catilina/voltaire/preface.html, last accessed December 2014.

78 Cited at Pearson, "The Conte Philosophique and its Readers," 6. Compare Cicero's claims concerning his enforced *otium cum dignitate* (cf. *Fam.* 11.12.2; *Phil.* 11.44.113), and the public ends of the philosophical and literary writing he undertook in this active leisure, as a means to educate the Romans (*De Off.* 1.43.153; 1.44.156, 158; 1.6.19). Cf. Gay, *Enlightenment*, 192–196; Jed W. Atkins, *Cicero on Politics and the Limits of Reason* (Cambridge: Cambridge UP, 2013), 29–31.

79 Gay, *Enlightenment*, 192.

ers, not serious thinkers or scholars. The point we need to underscore here is just that the *lumières*' 18th century reconception of *philosophie*, with its pointed challenge to the medieval opposition between the *vita activa* and *vita contemplativa* (and monastic prioritisation of the latter)⁸⁰ was also very much at the basis of these *philosophes*' adulation of Marcus Tullius Cicero (See chapter 1).⁸¹

The *philosophes* may not have written critical commentaries on *De Inventione* or *De Oratore*. But this is because they were less interested in remembering (see chapter 12), than in repeating or reactivating Cicero's legacy as (alongside Socrates, whom Diderot revered and Voltaire dedicated another of his plays to) the archetypal civic philosopher and defender of the *res publica*. Certainly, the *philosophes* were sympathetic to Cicero's observations concerning the need for the philosopher who would inspire others to critical thought and action to not speak as if he were already in Plato's *Republic*. (*De orat.* 1.223–227) Each was acutely aware, in Ciceronian mode, that persuasive deliberative discourse needs to speak to, and from out of, the “feelings, beliefs, and hopes of fellow citizens.” Voicing the edicts of reason alone will not move more than a small minority of people. (*De orat.*, 1.22; cf. 1.17, 1.60, and 1.202) As Du Marsais⁸² remarkable *Encyclopédie* entry on the “philosophe” reflects, the *lumières* thus typically mixed their admiration with criticism of the Stoics, whose ideal of *apatheia* informed the school's suspicion and comparative neglect of the rhetorical arts: “as to [the true *philosophe*], he makes no claim to the chimerical honour of destroying the passions, because that is impossible . . .”⁸³

80 Gay, *Enlightenment*, 195.

81 Gay, *Enlightenment*, 103–109, 155–156, 163–4, 192–5.

82 “Philosophe”, in *Encyclopédie: our Dictionnaire Raisonné des sciences, des arts et des metiers*, dir. Denis Diderot et Jean le Rond d'Alembert, online ‘ARTFL Encyclopédie Project’—Robert Morrissey, General Editor; Glenn Roe, Assoc. Editor. At artflsrv02.uchicago.edu/cgi-bin/philologic/getobject.pl?c.11:1250.encyclopedie0513, last accessed December 2014. The authorship of this article has been disputed, and has been attributed to Diderot. Certainly, it proceeded with is editorial authority. See “Présentation du texte par Martine Groult: César Chesneau Du Marsais ‘Le Philosophe: Nouvelles libertés de penser (Amsterdam, 1743)’, at encyclopedie.uchicago.edu/node/153. Voltaire, we know, greatly admired the piece, as he wrote to d'Alembert in 1764: “L'ouvrage, qui est en partie de Dumarsais, et qu'on attribue à Saint-Evremond, se débite dans Paris, et je suis étonné qu'il ne soit point parvenu jusqu'à vous. Il est écrit à la vérité trop simplement; mais il est plein de raison.” In 1773, Voltaire appended an abridged version of the “Philosophe” to his tragedy on the *Lois de Minois*.

83 “Philosophe”, in *Encyclopédie*, at artflsrv02.uchicago.edu/cgi-bin/philologic/getobject.pl?c.11:1250.encyclopedie0513.

Here we see why, in his *Préface* to *Rome Sauvée*, Voltaire does not follow Petrarch and others into dismay at the supposed unmanliness of Cicero's grieving for Rome, or for his daughter. Voltaire professes to love him more for his humanity.⁸⁴ The *Encyclopédie's philosophe*, likewise, makes no pretence of being *ex hoc forensi strepitu* (*Arch.* 12), above the "dust and uproar, ... the camp and fighting line of public debate" wherein Cicero placed himself and his orator (*De orat.* 1.157): at the same time as the *philosophe's* faith in critical reason calls him to question untested prejudices, and his native curiosity sees him study and value the wealths of different civilisations. Diderot's persistence with the subscription-funded *Encyclopédie*, despite d'Alembert's waverings and recurring battles with the censors;⁸⁵ or Voltaire's famous campaign against *l'infâme* of the kind illustrated by Jean Calas' 1762 persecution, attest by example to this unscholarly, political sociability. Like the philosopher-emperor Marcus Aurelius (another of the *philosophes'* heroes)—and very much unlike the fellow-traveller Jean-Jacques Rousseau (whose post-1755 withdrawal from French society repulsed Diderot)⁸⁶—this *philosophe* "loves society deeply":

... our philosopher, who knows how to divide his time between retreat and the commerce of men, is full of humanity. He is Terence's Chremes, who feels that he is a man, and whose humanity alone makes him interested in the fortunes of his neighbour, good or bad. *Homo sum, humani a me nihil alienum puto* ...

Our philosopher does not find himself in exile in this world; he does not at all believe himself to be in enemy territory; he wants to enjoy like a wise housekeeper the goods that nature offers him; he wishes to find pleasure with others: and in order to do so, he must give it: thus he seeks to get along with those with whom he lives by chance or his own choice; and he finds at the same time those who suit him ...⁸⁷

84 Voltaire, "Préface de Voltaire", *Rome Sauvée*: "Il confie ses justes plaintes à sa femme et à son ami, et on impute à lâcheté sa franchise. Le blâme qui voudra d'avoir répandu dans le sein de l'amitié les douleurs qu'il cachait à ses persécuteurs; je l'en aime davantage. Il n'y a guère que les âmes vertueuses de sensibles."

85 Jonathan Israel, *The Democratic Enlightenment: Philosophy, Revolution, and Human Rights 1750–1790* (Oxford: Oxford UP, 2013), 56–82; Will and Ariel Durant, *The Age of Voltaire*, 633–644.

86 Cf. Gay, *Enlightenment*, 193–194.

87 "Philosophe", in *Encyclopédie*, at artflsrv02.uchicago.edu/cgi-bin/philologic/getobject.pl?c.1:1:1250.encyclopedie0513.

There is accordingly little doubt that Voltaire or the young Montesquieu courted inaccuracy, “mistaking [sic.] what Cicero had wished to be for what he actually was.”⁸⁸ When they listed Tully’s profile of virtues, he invariably comes out as a nearly term-for-term exemplification of the *lumière*’s ideal: a fine general (allegedly), the complete master of Greek philosophy, an unsurpassed populariser, orator and stylist, a remarkable poet (so says Voltaire),⁸⁹ an honest friend, a devoted husband and father, a virtuous governor and an indomitable servant of the republic and the people of Rome.⁹⁰ Again, before we dismiss them, the point is to understand the purpose of such idealisations. As in ancient schools’ imaginings of the figure of the sage,⁹¹ the rhetorical and literary aim of such plays as *Rome Sauvée* or such “Discourses” as the young Montesquieu’s on Cicero was clearly not simply to inform; but to inspire admiration, and move the newly-expansive educated 18th century readership to emulation.⁹²

This, perhaps, is the Ciceronian point to shape how we should read the young Montesquieu’s rhetorical query concerning whether he admired more the statesman or the panegyrist in his Roman hero.⁹³ At base, as Gay in particular repeats, it was Cicero’s profile as both philosopher and statesman, not (contra Fox, the “tension” between them)⁹⁴ that excited the *philosophes* to such adulation: and as such, Cicero as the “contemplative” philosophical defender of the *vita activa*: author of the dream of Scipio in which—contra Pangle and others⁹⁵—Publius is enjoined not to leave his earthly post for the joys of

88 Gay, *Enlightenment*, 107.

89 Voltaire, “Preface de Voltaire”, *Rome Sauvée* at www.mediterranees.net/histoire_romaine/catilina/voltaire/preface.html, last accessed December 2014.

90 Cf. Gay, *Enlightenment*, 106–7.

91 Cf. Pierre Hadot, “La Figure du Sage dans L’Antiquité Gréco-Latin”, in *Études de Philosophie Ancienne*. France: Éditions des Belles Lettres, 2010), 233–254.

92 Interestingly, Fox notes the changed, expanded readership emerging in the 18th century, but does not link this with reflections on different literary media, and intentions: Fox, “Cicero During the Enlightenment”, 320–321.

93 “For myself, I do not know whom I would prefer to resemble: the hero or the panegyrist.” Montesquieu, “Discourse on Cicero,” 733.

94 Fox, “Cicero during the Enlightenment”, 319–320. The enlighteners, for Fox, were “more aware than their predecessors of the difficulty of integrating the veneration of Cicero as a philosopher with admiration of him as a political figure.” Here as elsewhere, we submit our categorical disagreement as far as the French enlighteners are concerned.

95 “The dream teaches that the sooner the gods allow one to flee from this political life to that other contemplative life, the better.” (Thomas Pangle, “Socratic Cosmopolitanism:

contemplation, but to “[e]xercise this soul in the noblest activities . . . cares and exertions for our country’s welfare”;⁹⁶ the philosopher who was patriotic enough, and ‘realist’ enough, to counterpose Rome’s evolving *harmonia* in his *Republic* to an ideal city in speech “quite unsuited to man’s actual lives and habits” (*De Rep.* 2.22); the Roman who maintained that “we are not born for ourselves alone, but our country (*patria*) claims a share of our being, and our friends . . .” (*De Off.* 1.22; cf. Plato *Letter* 9); who hymned the civic achievements of philosophy (“you have given birth to cities, you called scattered human beings into the bonds of social life . . . you have been the teacher of morality and order . . .”; *Tusc.* 5.5) and who, in *De Officiis*, significantly challenges any prioritisation of *otium* over serving the *civitas* as the optimal form of life, in ways which made Cicero’s legacy uncomfortable for authors in the medieval period.⁹⁷

Cicero’s Critique and Transformation of the Stoic Ideal” *Canadian Journal of Political Science*, Vol. 31:2 (1998), 245–6). Compare, with the Socratic resonances *Rep.* 6.15: “And, so soon as I began to be able to speak, having choked back my tears, “Pray, tell me,” said I, “most revered and best of fathers, since this is life, as I hear Africanus say, why do I linger on earth? Why don’t I hurry up and come to you there?” “It is not as you think,” said he, “for unless that God, to whom all this region that you can see belongs, has released you from the keeping of your body, the entrance to this place cannot be open to you. For men were created subject to this law, to keep to that globe, which you see in the centre of this region and which is called the Earth; and to them a soul was given formed from those everlasting fires, which you mortals call constellations and stars, that, round and spherical in form, alive with divine intelligences, complete their orbits and circles with marvellous swiftness. So, my Publius, you and all good men must allow the soul to remain in the keeping of the body, nor without his command, by whom it was given to you, must you leave your human life, lest you should appear to have deserted the post assigned to men by God. Translated by W. D. Pearman; emphasis mine. Cf. *Tusc.* 5.72, 1.32, and 4.51; *Rep.* 1.12; *De Orat.* 1.211.

96 *Rep.* 6.29 (Pearson translation); cf. *Tusc.* 5.42. Cf. Dean Hammer’s excellent “Cicero: To Save the Republic”, in Dean Hammer, *Roman Political Thought: From Cicero to Augustine* (New York: Cambridge UP, 2014), 26–92: at 77.

97 Baron, “Cicero and the Roman Civic Spirit in the Middle Ages and the Renaissance,” 76–83, esp. at 79: “In the general picture of the early Middle Ages such highlights of genuine Ciceronian thought are few and far between. As a rule, the Cicero of the Middle Ages down to the twelfth century was disguised as a monastic scholar. The Roman citizen was doomed to be represented as a despiser of marriage and of woman, and of the cares of an active life.”

...[i]f wisdom is the most important of the virtues, as it certainly is, it necessarily follows that that duty which is connected with the social obligation is the most important duty, and service is better than mere theoretical knowledge, for the study and knowledge of the universe would somehow be lame and defective, were no practical results to follow. (*De Off.* I.43.153; cf. I.44.156, 158; I.6.19)⁹⁸

Fox is thus right when he claims that a much wider range of enlightenment thinkers than he examines took Cicero as an “inspiration,”⁹⁹ rather than the object of extended commentary or elaboration (although Mably is a French exception here).¹⁰⁰ This is not to say that, alongside his practiced defence of rhetoric, the affects, and natural human sociability, the French *lumières* found no more particular intellectual or doctrinal precedents in Cicero worthy of emulation. As we noted above, in their battle with forms of theological and philosophical rationalism, the *lumières’* modern heroes were Bacon, Locke and the Newton whose “refusal to hypothesise” concerning the *quiddity* of the universal force of attraction he mathematically described they saw as exemplary of a sceptical humility at odds with Descartes’ or Leibniz’ speculative excesses.¹⁰¹ The first intellectual virtue of a “philosophe”, the *Encyclopédie* begins by emphasising, lies not in opining much, but opining well. “Intelligence,” for him:

... consists in judging well: he is more satisfied with himself when he has suspended the faculty of making a decision than he would be to have come to a decision before having a sense of the proper reason for a decision. Thus he judges and speaks less, but he judges more surely and speaks better ...¹⁰²

98 The author is indebted here as elsewhere to Dean Hammer, “Cicero: To Save the Republic”, esp. 29, 31–32, 39–43, 45, 46, 52, 61, 69–87.

99 Fox, “Cicero during the Enlightenment,” 319.

100 Cf. Atkins, “A revolutionary doctrine? Cicero’s Natural Right Teaching in Mably and Burke”.

101 Gay, *Party of Humanity*, 4, 19, 23, 193–194, 254–255; Gay, *Enlightenment*, 11–12, 135–143; on Voltaire’s Descartes as a speculative *romançier*, cf. “Atoms,” “Ovid,” “Philosophy,” “Poets,” “Sensations,” “Soul”, in Voltaire, *Philosophical Dictionary*, at ebooks.adelaide.edu.au/v/voltaire/dictionary/complete.html, last accessed December 2014.

102 Diderot, “Philosophe,” at encyclopedia.uchicago.edu/node/153, last accessed December 2014.

The proximity here to ancient academic scepticism of the type associated with Cicero's teacher Philo (to whom Hume gives the leading role in his *Dialogues Concerning Natural Religion*; written 1751–1755, published 1779)¹⁰³ is explicit. As already made clear in the *Encyclopédie*, “notre philosophe” does not despair of knowing anything, given the recalcitrance of many things to certainty. Rather:

... he takes as true that which is true, as false that which is false, as doubtful that which is doubtful, and as probable that which is only probable. He goes further—and here is a great perfection of the philosopher—when he has no proper motive for judging, he remains undecided.¹⁰⁴

As we commented above, David Hume's formal and substantive debts to *De Natura Deorum* in his own *Dialogues Concerning Natural Religion* and the 1757 *Natural History of Religion* are clear, and have been well-documented.¹⁰⁵ As Philo taught Cicero, so Hume's Stoic character Cleanthes was, historically, the teacher of Cicero's Balbus in *De Natura Deorum*.¹⁰⁶ From Pamphilus' framing remarks concerning the suitability of the subject matter of natural religion for dialogue, since it involves “obscure and “uncertain” things, the *Dialogues* echo Ciceronian precedents.¹⁰⁷ (Hume for instance borrows closely from Vellius's ridicule of Platonic and Stoic cosmologies;¹⁰⁸ Cotta's critique of anthropomorphism;¹⁰⁹ and Cleanthes' *exempla* of the eye as evidence of argument from design)¹¹⁰ By and large, Hume's assessment in “Of the Rise and Progress of the Arts and Sciences” that Cicero was “a great sceptic in matters of

103 Cf. Price, “Sceptics in Cicero and Hume”, esp. 98; also Peter S. Fosl, “Doubt and Divinity: Cicero's Influence on Hume's Religious Scepticism,” *Hume Studies* Volume xx, Number 1, April 1994, pp. 103–120.

104 “Philosophe”, in *Encyclopédie*, at artflsrv02.uchicago.edu/cgi-bin/philologic/getobject.pl?c.11:1250.encyclopedie0513.

105 Cf. Christine Battersby, “The Dialogues as Original Imitation: Cicero and the Nature of Hume's Scepticism”, *McGill Hume Studies*, ed. David Fate Norton, Nicholas Capaldi, and Wade Robison (San Diego: Austin Hill Press, 1979), 239–253.

106 Paul McKendrick, *The Philosophical Books of Cicero* (London: Duckworth, 1989), 280; Price, “Sceptics in Cicero and Hume”, 98.

107 Losl, “Doubt and Divinity,” 107.

108 David Hume, *Dialogues Concerning Natural Religion*, ed. Norman Kemp Smith (Oxford: Clarendon Press, 1935; 2nd ed. New York: Library of Liberal Arts, Bobbs-Merrill, 1962), 1: 204–5; Cf. *De Nat.*, 1.18–24;

109 Cf. Hume, *Dialogues*, 11: 178; with *De Nat.* 1.71–102.

110 Cf. Paul McKendrick, *The Philosophical Books of Cicero* (London: Duckworth, 1989), 280.

religion,"¹¹¹ however contestable in itself, marks out how Cicero's texts on the gods and divination were read by the *lumières*, in the context of their struggles with French Catholicism after the 1685 revocation of the Edict of Nantes. Voltaire thought *De Natura Deorum* "perhaps the best book of antiquity."¹¹² The largest number of Montesquieu's "Notes sur Cicéron" raised above (which also reflect the young man's immersion in Bayle)¹¹³ concern this text, alongside *De Divinatione*.¹¹⁴ On the one hand, Montesquieu is struck by the arguments against positive theological doctrines which Cicero puts in the mouths of his Velleius and his Cotta, and is himself highly sceptical concerning Balbus' Stoic "argument from design".¹¹⁵ "Cicero who first put into his language the dogmas of Greek philosophy, delivered a fatal blow to the religion of Rome," we read in the *Pensées*.¹¹⁶ On the other hand, Montesquieu expresses broad support for a kind of deism (calling Anaxagoras' notion of a world-mind "vrayment Catholique").¹¹⁷ He commends Cicero's public defence of the ancestral religion of Rome in *De Divinatione* (2.77) and elsewhere, as one of the bases of Roman sociability and virtue.¹¹⁸

Voltaire's fame as the principal enemy of *l'infâme* and his tireless anticlericism can conceal the true lineaments of his complex attitude concerning religious matters. Certainly, Voltaire claims Cicero as an antecedent to his own biblical criticism and theological scepticism, joking that his entry

111 David Hume, "Of the Rise and Progress of the Arts and Science", cited at Losl, "Doubt and Divinity," 106 (and see note 12 for the history of this passage, and this lesser-known Humean text).

112 Voltaire, "Fin du Monde," *Questions sur L'Encyclopédie*, in *Oeuvres*, XIX, 141.

113 Cf. Benitez, "Les Années Apprentissage," 15–17.

114 Benitez, "Les Années Apprentissage," 15–36.

115 Benitez, "Les Années Apprentissage," 19–22.

116 Montesquieu, *Pensées*, no. 969, in Adrivot, "Cicero," *Dictionnaire Montesquieu*, paragraph 12.

117 Montesquieu, at "Les Années Apprentissage," 24.

118 This, and the utility of a civic religion, is the theme of *Montesquieu's Dissertation sur la politique des Romains dans la Religion*, read June 18, 1716, before the Bordeaux Academy. Cf. chapter x of *Considerations sur les causes de la grandeur et de la decadence des Romains*, "Besides the fact that religion is always the best guarantee of men's customs there was this fact, peculiar to the Romans, that they mingled a certain religious sentiment with their love for the fatherland. Their city, founded under the best auspices, Romulus, their king and god, the Capitol, eternal as the city, and the city, eternal as its founder, had formerly made upon the mind of the Romans an impression which it would have been a very good thing for them to preserve." See Roger B. Oake, "Montesquieu's Religious Ideas", *Journal of the History of Ideas*, Vol. 14, No. 4 (Oct., 1953), pp. 548–560; also Catherine Larrère, "Le stoïcisme dans les œuvres de jeunesse de Montesquieu", in *Montesquieu. Les années de formation (1700–1720)*, C. Volpilhac-Augier dir., *Cahiers Montesquieu* 5 (1999), pp. 163–183.

on “Superstition” was “a chapter taken from Cicero, Seneca, and Plutarch.”¹¹⁹ Nevertheless, as Israel for one (and other of the more radical *lumières*) have lamented, Voltaire spent much of the last decade of his life opposing the Spinozism of d’Holbach and others.¹²⁰ Throughout his life, Voltaire remained a deist, convinced of the existence of an ordering intelligence and natural morality undergirding true faith, struggling like Plutarch, Bacon and other of his heroes¹²¹ on two fronts, against both superstition and atheism:¹²²

... it cannot be repeated too often that dogmas are different, and that morality is the same among all men who use their reason. Therefore morality comes from god like light. [It is] our superstitions [that] are nothing but darkness...¹²³

It is not surprising, given what we have seen, to see Cicero emerging in the context of Voltaire’s writings on religion not simply as a source, but as a virtually living presence.

Cicero is the addressee of Voltaire’s 1771 fictive *Lettres de Memmius à Cicéron*. Written eight years after the Calas case had launched Voltaire into the most politically active advocacy of his long life, the letters, Voltaire tells us in the “Avertissement” with characteristic irony: “all scholars have recognised

119 Voltaire, cited at Gay, *Enlightenment*, 51.

120 Cf. Jonathan Israel, *Revolution of the Mind*, 209–211; cf. Will and Ariel Durant, *The Age of Voltaire* (New York: MJF Books, 1965), 750–753.

121 Plutarch, “Of Superstition,” as published in Vol. 11 of the Loeb Classical Library edition, 1928: at penelope.uchicago.edu/Thayer/E/Roman/Texts/Plutarch/Moralia/De_superstitione*.html, last accessed December 2014; Francis Bacon, “Of Atheism,” immediately followed by “Of Superstition,” in *Essays of Francis Bacon*, at www.authorama.com/essays-of-francis-bacon-17.html, and authorama.com/essays-of-francis-bacon-18.html, last accessed December 2014. For Voltaire on Bacon, see Voltaire, “XII: On the Lord Bacon,” *Letters on the English or Lettres Philosophiques*, c. 1778 [1734] (from *French and English philosophers: Descartes, Rousseau, Voltaire, Hobbes*: with introductions and notes. New York: P. F. Collier, c1910) at legacy.fordham.edu/halsall/mod/1778voltaire-bacon.asp, last accessed December 2014.

122 See Voltaire’s indicative defence to d’Holbach et al of “Il faut prendre un parti,” a 1772 statement of Voltaire’s religious position, defending God and toleration: “I have no doubt that the author, and... supporters of this book, will become my implacable enemies for having spoken my thoughts; and I have declared to them that I will speak out as long as I breathe, without fearing either the fanatics of atheism, or the fanatics of superstition,” cited at Will and Ariel Durant, *The Age of Voltaire* (New York: MJF Books, 1965), 752.

123 Voltaire, “Morality,” *Philosophical Dictionary*, ebooks.adelaide.edu.au/v/voltaire/dictionary/chapter334.html, last accessed December 2014.

unanimously to be from Memmius [tous les favants ont reconnues unanimement pour être de Memmius]”:¹²⁴ viz. the addressee of Lucretius’ *De rerum natura*, whom the historical Cicero petitioned to convince not to build his new residence on the site of Epicurus’ garden in Athens. (*Fam.*, 13.1) Certainly, Voltaire’s Memmius is no Epicurean.¹²⁵ Nor is he “the extreme of corruption and licentiousness in what was an extremely corrupt and licentious society...”¹²⁶ One more of Voltaire’s many avatars, this Memmius instead advises the silent Cicero that he is of the theological opinion of the Stoic Balbus in Cicero’s “excellent work”, *De Natura Deorum*. There are neither many, nor no, but one God.¹²⁷ In the opening epistle, Voltaire’s Memmius indeed declares himself, like Cicero, an Academic sceptic (“nous sommes académiciens”). He appeals to their common *otium* as out of work senators to justify his writing, now that the world has been won by Caesar to govern, placing the fictional correspondence in the last year of Cicero’s life.¹²⁸

According to Voltaire in the “Preface”, Memmius shows himself in these letters to all men of sense a far superior philosopher to his Epicurean teacher.¹²⁹ And so it is, that after three letters, we are made privy by Voltaire to a brief treatise by this Memmius addressed to Cicero. The *Traité de Memmius* covers many of the same subjects as Lucretius’ poem (the existence of God (chapters 1–4), providence (5–6, 8), evil (5–7, 9–10), natural necessity (10–11), the nature of God (12) and of the soul (13–15), the nature of animals (16), immortality (17–18), morals (19–20) and the corruption of Rome (21–22)). Yet it does so from an unmistakably Voltairean perspective: contesting the Epicurean view that the world’s order could emerge from atoms, void, and chance¹³⁰; and surveying the competing philosophical and other ancient views concerning the positive attributes of the deity, the soul, providence and theodicy, but scrupulously suspending either affirmation or denial.¹³¹ Only morality is immune from Voltaire-Memmius’ measured *acatalepsia*. Our author makes this point especially clear in the 20th letter, recurring pointedly to the second person as he recites Roman examples of vicious and virtuous action:

124 Voltaire, *Lettres de Memmius à Cicéron* in *Oeuvres*, XIX, 324.

125 Voltaire, *Lettres de Memmius à Cicéron* in *Oeuvres*, 331, 333–336.

126 Duane W. Roller, “Gaius Memmius: Patron of Lucretius”, *Classical Philology*, Vol. 65, No. 4 (Oct., 1970), pp. 246–248.

127 Voltaire, *Lettres de Memmius à Cicéron*, 330.

128 Voltaire, *Lettres de Memmius à Cicéron*, 327.

129 Voltaire, “Preface”, *Lettres de Memmius à Cicéron*, 325.

130 Voltaire, *Lettres de Memmius à Cicéron*, 333–338.

131 Voltaire, *Lettres de Memmius à Cicéron*, 339–370.

All the sects are different, but morality is everywhere the same. The sentiment of virtue has been placed by God in the heart of man as an antidote against all the poisons by which it must be devoured . . . If Caesar, Catiline, Marius, Sylla, Cinna repulsed this voice, Cato, Atticus, Marcellus, Cotta, Balbus and you, you have responded obediently to it. The knowledge of virtue will remain always on the earth, whether to console us when we embrace it, or to condemn us when we violate its laws. [Toutes les sectes font différentes, mais la morale est partout la même. . . . Le sentiment de la vertu a été mis par Dieu dans le cœur de l'homme comme un antidote contre tous les poisons dont il devait être dévoré. . . . Si César, Catilina, Marius, Sylla, Cinna ont repoussé cette voix, Caton, Atticus, Marcellus, Cotta, Balbus & vous, vous lui avez été dociles. La connaissance de la vertu restera toujours sur la terre, soit pour nous consoler quand nous l'embrasserons, soit pour nous accuser quand nous violerons ses lois.]¹³²

There can be little doubt that the true addressee of this Voltairean attack on philosophical materialism, in the French context, was not Memmius' master Lucretius. It was the Baron d'Holbach, whose *Système de la Nature ou Des Loix du Monde Physique et du Monde Moral* had appeared in 1770. The *Système* was immediately suppressed by the French crown and altar. Copies were ordered to be burnt and the author, if apprehended, arrested and charged. Voltaire, in profound disagreement with its philosophy, was concerned that d'Holbach's Epicureanism would derail the enlightenment, and undermine what gains the previous decades had brought. He quickly added a new section under "Dieu" in the *Dictionnaire Philosophique* on "the author of the 'System of Nature'", challenging both the truth and utility of its claims; before choosing to pen and append the *Lettres de Memmius à Cicéron* to his "Questions sur l'Encyclopédie" one year later.¹³³

It is deeply telling then, that the greatest of the French *lumières*—a man whose historical studies and *contes* had ranged across nearly all known

¹³² Voltaire, *Lettres de Memmius à Cicéron*, 368.

¹³³ "The author of the "System of Nature" has had the advantage of being read by both learned and ignorant, and by women. His style, then, has merits which that of Spinoza wanted. He is often luminous, sometimes eloquent; although he may be charged, like all the rest, with repetition, declamation, and self-contradiction. But for profundity, he is very often to be distrusted both in physics and in morals. The interest of mankind is here in question; we will, therefore, examine whether his doctrine is true and useful. . . . Voltaire, "God-Gods. §IV. The "System of Nature.", *Philosophical Dictionary* at ebooks.adelaide.edu.au/v/voltaire/dictionary/complete.html#chapter238, last accessed December 2014.

history and culture, and whose name has become virtually synonymous with the enlightenment—should have chosen the aging Marcus Tullius Cicero, grieving for country and daughter at Tuscum, as the ideal addressee to hear the case against the *holbachéens* that Voltaire would soon develop in his own Philippic, “*Il faut prendre un parti*”. In the *Lettres à Cicéron*, we do not hear the panegyric of the younger Montesquieu, invoking Cicero as inspiration and model for his own budding literary and philosophical pursuits. Nor do we read, or can we savour, the vigorous language and upright sentiments that the philosopher-dramatist had placed in the mouth of his hero in 1749’s *Rome Sauvée*, contra Crébillon and Catiline. In many ways, however, it is. But this silent Cicero remains the highest authority Voltaire can imagine at the culmination of his literary and philosophical life, and this speaks eloquently to the reach of Cicero’s *auctoritas* in the enlightenment period. As Voltaire’s Memmius signs off, he casts Cicero once more as the living embodiment of the ideal enlightenment man:

I have sent you this small volume [the *Treatise*], if you will permit it, but only to share with people who resemble you; that is, to people without impiety or superstition, free from the prejudices of the schools and those of the world, who love truth and not disputation: and who are certain only of what has been demonstrated, and reserve judgment even concerning what is only the most likely, as against the certainly true. [Je vous envoyé ce petit volume, puifque vous le permettez; mais ne le montrez qu’à des hommes qui vous ressemblent, à des hommes fans impiété & fans fuperstition, dégagés des préjugés de l’école & de ceux du monde, qui aiment la vérité & non la difpute—qui ne sont certains que de ce qui est démontré, & qui fe défient encor de ce qui est le plus vraisemblable.]¹³⁴

134 Voltaire, *Lettres de Memmius à Cicéron*, 332.

Following Their Own *Genius*

Debates on Ciceronianism in 16th-Century Italy

JoAnn DellaNeva

The sixteenth century was a moment of great importance for the reception of Cicero, especially in Italy, where writers endlessly debated the question of how one should go about achieving the best possible writing style. While Italian vernacular writers engaged in the *questione della lingua*, a debate that centered on which of the many forms of Italian could best be used to create a national literature (well before Italy was ever, politically speaking, a nation), their humanist counterparts, writing in Latin, took part in what came to be known as the Ciceronian Quarrels. In both of these controversies, it was no doubt Pietro Bembo (1470–1547), equally well known for his Italian and Neo-Latin writings, who led the way, postulating that one should follow the example of Francesco Petrarca (1304–1374) and Giovanni Boccaccio (1313–1375) in writing Italian poetry and prose, respectively, and positing Cicero and Virgil as his chief Latin exemplars for these two genres. Indeed, it is Bembo who, among all Italian humanists, is most closely associated with the phenomenon of Renaissance Ciceronianism, defined (albeit simplistically) as the exclusive imitation of Cicero in all matters of Latin prose composition.

But Ciceronianism was not the only game in town, and many Italian humanists took issue with this position, proposing instead a more eclectic approach to the matter of literary imitation. These Eclectics welcomed a wide variety of potential models to be used in the service of forging a more personal, individual style that respected the aspiring writer's natural abilities and that, consequently, reflected his native genius. Nowhere is this better expressed than in the writings of Bembo's chief adversary in the Ciceronian Quarrel: namely, Gianfrancesco Pico della Mirandola (c. 1469–1533), who argued against Ciceronianism in two celebrated letters addressed to Bembo.¹

The Pico-Bembo correspondence constitutes a truly pivotal moment of the Ciceronian Quarrels, but it is by no means the first episode of this controversy. The issue of style—and the concomitant topics of imitation and

1 For these texts see *Ciceronian Controversies*, edited by JoAnn DellaNeva, translated by Brian Duick (Cambridge, MA and London: Harvard University Press, 2007) 16–125. All quotations will be drawn from this edition.

the selection of literary models—was a topic of intense debate since at least the time of Petrarch. On one side stood a host of early Italian humanists—including Pier Paolo Vergerio the Elder (1370–1444), George of Trebizond (1395–c. 1489), Leonardo Bruni (1370–1444), Poggio Bracciolini (1380–1459), and Guarino da Verona (1374–1460)—who all affirmed the preeminence of Cicero as a model for Latin style; on the other side could be found the likes of Gasparino Barzizza (1360–1430), Leon Battista Alberti (1404–1472), Coluccio Salutati (1331–1406), and Lorenzo Valla (1406–1457), each of whom favored a more eclectic approach to the selection of Latin models. The Ciceronian quarrel took on a life of its own towards the end of the fifteenth century, however, when Angelo Poliziano (1454–1494) dashed off a short letter to his former pupil, Paolo Cortesi (1465–1510), chastising him for his undue attachment to the sole model of Cicero (*Controversies* 2–5). Cortesi responded with his own letter that established his reputation as the prototypical staunch Ciceronian and that paved the way for Bembo and his followers to proclaim their faith in what was to become known derisively as the Ciceronian sect or Italian heresy (*Controversies* 6–15). The quarrel became the subject of a biting satire produced by Desiderius Erasmus (c. 1466–1536), called the *Ciceronianus* (*The Ciceronian*), in 1528, and was to be revived later in the sixteenth century in yet another epistolary exchange, this time between Celio Calcagnini (1479–1541) and his student Giambattista Giraldi Cinzio (1504–1573), with a further commentary by Lilio Gregorio Giraldi (1479–1552) addressed to his kinsman, Giraldi Cinzio (see *Controversies* 126–189). These texts were not forgotten at the turn of the seventeenth century, as vestiges of the quarrel are found in Jesuit educational theory and practice, particularly in the *Cicero* (*Controversies* 190–195) and *Bibliotheca selecta* (*Controversies* 196–211) of Antonio Possevino (c. 1533–1611), which culminated in the development of the *Ratio studiorum*. Moreover, one can argue that these quarrels on imitation, somewhat ironically, form the basis for a theory of originality that was developed more fully among the Romantics and that was eventually embraced by modern literary theorists. And it is the Pico-Bembo correspondence that most clearly propelled the conversation forward towards modern formulations of the issue that focus on the role of individual genius and originality in the creative process.

At the same time, the Renaissance Ciceronian controversies look back to classical antiquity and, in particular, draw from the texts of Cicero himself in their discussion of stylistic matters. In this way, it isn't merely the style of Cicero's writings that comes under scrutiny among the Italian humanists, but also the substance of Cicero's thought, as developed in works such as *De inventione* (with its famous story of the painter Zeuxis, an emblem of eclectic imitation) and *De oratore* (with its lessons on the suitability of particular models

in the development of one's own style). But it is the *Orator* that most informs the Pico-Bembo quarrel, to such an extent that one can truthfully say that this quarrel is essentially a disagreement over how to interpret Cicero's pronouncements on the "idea of perfect eloquence," located in *Orator* 7–12.

The Pico-Bembo correspondence was launched when Pico sent his friend Bembo a hastily composed essay entitled *De imitatione*, written, he claims, within the space of six or seven hours, and dated 19 September 1512. In this first letter, Pico asserts that he favors imitation of multiple good models, not any one writer singly, and not in all matters. From the outset, then, Pico clearly aligns himself with the Eclectics in general and with Poliziano in particular: for his admonition to imitate "all good writers" (*bonos omnes*, *Controversies* 16–17) is a clear echo, subtly transformed, of the elder humanist's exhortation to read and imitate *bonos alios* ("other good writers"), which is found in his letter to Cortesi (*Controversies* 4–5). The problem with imitating a single model, Pico implies, is that the imitator who is restricted in this way would merely repeat what another had said before and thus be like the slavish imitator condemned by Horace (*Epistles* 1.19.19–20). In a manner reminiscent of Quintilian (*Institutio oratoria* 10.2.4), Pico also asserts that imitation alone is not sufficient to achieve greatness in literary matters. This is in direct contrast to what Cortesi had written twenty years earlier to Poliziano: for there, Cortesi had declared that even if his own literary production was not itself glorious, a writer could merit some distinction merely by choosing Cicero to be his model, so great was the latter's standing as a literary genius (*Controversies* 14–15).

Pico goes on to assert, then, that his preferred method is precisely how the ancients themselves imitated. According to Pico, the best ancient writers sought not so much to *follow* their models as to compete with them and ultimately to *surpass* them. In this way, Virgil, whom others condemn for his excessive imitation (see chapter 12), is rehabilitated by Pico who describes him as "more truthfully an emulator than an imitator of the ancients" (*aemulator veterum verius quam imitator*, *Controversies* 18–19). Likewise, Pico declares, Cicero did not imitate Demosthenes so much as emulate him. In both instances, emulation is characterized by competition with the model and results in a unique discourse that is truly one's own. Here, Pico anticipates the argument that will be put forth by Calcagnini, in his treatise on imitation addressed to Giraldi Cinzio: "no brilliant talents can make great progress unless they have an antagonist . . . with whom they may compete, with whom they may wrestle" (*nulla praeclara ingenia posse ingentes profectus facere, nisi habeant Antagonisten, . . . qui cum decertent, qui cum colluctentur*, *Controversies* 180–81). Whereas imitation is dependent on similitude, emulation, both Pico and Calcagnini suggest, results in a differentiation from (and a surpassing of) the model.

In his emphasis on difference, the product of emulation, Pico echoes not only Poliziano but also Petrarch. Just as Petrarch, in his letters on imitation, had stressed the importance of adding something new, something of one's own, to his imitation, Pico likewise underscores the notions of individuality and distinctiveness.² Virgil, Pico says, developed "*his own rhythms, his own features and above all an individual and distinctive arrangement*" (*Suos ipse habet numeros, propria tenet lineamenta, dispositionemque in primis peculiarem et maxime propriam*, *Controversies* 18–19, emphasis added). Cicero, similarly, "retained *his own* style and manner of speech" (*suum retinuit filum et instituta dicendi*, *Controversies* 18–19, emphasis added) despite imitating Demosthenes. Pico's insistence on individual self-expression, though he does not use that particular term, is certainly consistent with, if not specifically based on, Poliziano's flippant affirmation: "You do not write like Cicero,' someone says. So what? I am not Cicero. Yet I do express myself, I think' " (*Non exprimis, inquit aliquis, Ciceronem. Quid tum? Non enim sum Cicero. Me tamen [ut opinor] expremo*, *Controversies* 2–3).

A term that Pico *does* use to communicate this concept of self-expression—and one that is unique to him at this point in the Ciceronian polemic—is the term "genius." The word is introduced in Pico's discussion of how two relatively minor Latin writers, Celsus and Columella, did not engage in close imitation, but rather "followed their own genius and natural propensity" (*genium propensionemque naturae*, *Controversies* 22–23). *Genius* is used here instead of the more common term *ingenium*, which earlier literary theorists used to designate the concept of one's own natural talent or native ability. As Jean Lecointe points out (*L'Idéal* 221), the juxtaposition of the more familiar phrase *propensionemque naturae* and the unusual term *genius* is significant; put together in this fashion, the notion of natural inclination serves as a gloss on the word *genius*. Later, in the same paragraph, Pico expounds on the point, declaring that each man has from birth "his own hereditary instinct and intellectual propensity" (*proprium tamen et congenitum instinctum et propensionem animi*, *Controversies* 22–23). This propensity of the soul or mind that is instinctive and innate seems to be yet another way of defining the unusual term *genius*. In any event, by saying that Celsus and Columella follow their own genius, located in their inner being, Pico clearly intends to propose this as a more desirable alternative to the Ciceronian's penchant for following a different genius, one located outside of himself, namely Cicero alone.

2 For this matter, see Petrarch's *Letters on Familiar Matters*, in particular letter 23.19, addressed to Giovanni Boccaccio.

Immediately after using this extraordinary neologism, Pico offers an extended discussion on another key contribution to the Ciceronian polemic: his notion of the Idea of eloquence that serves as a principle for the proper selection of models. This idea of eloquence is not reflected in the work of any single individual author; rather, it is contained within the mind or soul of the aspiring writer himself. Drawing ostensibly from Plato, Pico first acknowledges that this idea might in fact be “innate in us and perfect *a priori*” though he also considers, in the same sentence, the possibility that it is “gradually absorbed by reading many different authors” (*sive ea ipsa penitus innata sit idea atque ab ipsa origine perfecta, sive tempore procedente multorum auctorum lectione consummata*, *Controversies* 24–25). No matter its origin, once this idea of beauty or eloquence is formed in the mind and soul of the aspiring writer, it may be used to judge the merit of any particular model; it is the measure by which the aspiring writer discerns whether any particular feature is worthy to be imitated, not only because of its own beauty and perfection, but also because of its suitability to one’s own natural style. By using this standard, Pico suggests, the apprentice writer can achieve a style that vies with the best without using any one textual model exclusively. Such a method allows for a mature type of writing that encourages new writers to forge their own trail and thus surpass their predecessors.

By continually drawing on this notion of an ideal style that is peculiar to one’s own nature, Pico is able to point out other problems with the exclusive imitation of Cicero alone. He claims that Ciceronianism is inadequate in part because no single model can reflect the variety of natural styles the aspiring writer might see fit to cultivate within himself. But even if one argues that Cicero does indeed reflect this variety, surely other writers can be found who have better developed that one particular aspect of style most suited to the imitator’s nature. If this is the case, it is preferable to imitate this feature from its pure source, where it is strongest—that is, in the text of another writer—than to imitate it in its more diluted form in Cicero’s writings.

Moreover, this idea of eloquence functions as a safeguard against the apish imitation of faults and vices—which a staunch Ciceronian might engage in—simply because those features happened to have appeared in a text attributed to a great writer such as Cicero. Here, Pico is again recalling the Poliziano-Cortesi exchange, where both parties refer to the notion of “aping” Cicero, that is, engaging in a mindless repetition, albeit a perfect reproduction, of the model text. While Cortesi had acknowledged that the imitation he seeks is more like that of a son vis-à-vis his father, he nevertheless declared that he would prefer to be an “ape of Cicero than the pupil or son of others” (*simia Ciceronis quam alumnus aut filius aliorum*, *Controversies* 10–11). Pico, on the other hand,

advises the imitator to follow this idea of eloquence instead of slavishly copying Cicero alone, a method that will result in a far greater eloquence than reproducing the “moles, scars, emaciation and excrement” (*nevōs . . . cicatrices . . . maciem . . . excrementa*, *Controversies* 26–27) of a Ciceronian corpus.

Here, Pico begins to introduce another issue pertinent to the selection of models: the question of the authenticity of Cicero's text. In an effort, perhaps, to diffuse the uproar that would have been caused by suggesting that Cicero himself could possibly be less than perfect, Pico suggests that the obvious infelicities in Cicero's writings may well have been introduced there through “the ill effects of time” (*vitio temporum*, *Controversies* 26–27). That is, there is reason to be skeptical about the complete authenticity of any ancient text, a lesson that Bembo himself would doubtless have learned when he helped Poliziano edit a volume of Terence for the Aldine press. For this reason, then, it is absurd to grant every page of Cicero's writing a sacramental status and deem every word worthy of imitation. If the Ciceronian's goal is to produce an “authentic” Ciceronian discourse, this effort is doomed to failure because one can never be sure if the word one has found in a Ciceronian text is genuinely Cicero's.

Turning again to a passage in Horace for inspiration (*Epistles* 2.1.76–78), Pico develops his train of thought by touching on another aspect of the question of authenticity. Here, Pico amusingly provides an anecdote that deals with a certain man's attempt to defraud his contemporaries by composing new letters under Cicero's name; though they are at first praised, they quickly are scorned when it is discovered that they are not ancient at all. At the same time, genuine Ciceronian letters were presented to the public under the name of the new author: these were summarily rejected on the basis of their modernity. Pico thus describes here two diametrically opposed poles of the inauthentic: forgery and plagiarism. In the first case, the misguided Ciceronian desires to write in such a manner that his work can pass for an authentic antique. So long as the forgery is not discovered, the text in question holds a certain value based exclusively on its supposed age and provenance as opposed to its intrinsic merit. In the case of plagiarism, on the other hand, a genuinely ancient text belonging to another is re-packaged as something modern, belonging to the new writer. Once again, the value of the text is based exclusively on its mistaken provenance, and so long as the public believes it is modern rather than ancient (see chapter 6), it is devalued and derided, despite the fact that it is indeed an authentically Ciceronian text.

In raising these questions of authenticity and legitimacy in the production of eloquent texts, there is a strong suggestion that no modern speech can ever be authentically Ciceronian, for wherever the modern imitation differs from the original in style, content, or arrangement—as it must—it belongs to the new

writer and is no longer Ciceronian. Here, Pico uses the image of constructing a new building with the stones of Ciceronian discourse; any new lime used to bind these stones, any deviation from their arrangement, will detract from the authenticity of the Ciceronian wall. But this should not matter, for other legitimate forms of eloquence can be produced by modern writers. Authenticity and legitimacy in eloquence, he suggests, come from within the writer and are not conferred by outside forces. If a writer properly uses his inner resources—his *genius*—he can achieve a judicious imitation that can equal or surpass the eloquence of his models.

Pico ends his letter with an impassioned celebration of the diversity of stylistic excellences that have been produced by various authorities and that are now available to the potential imitator. Pico makes it clear that, from these various types of rhetoric, good writers can produce a mixture that ultimately creates a single style that differs from any of its sources (*Controversies* 40–41). He speaks of weaving various threads from the divergent texts of different authors, of artfully blending various strands into a single fabric of discourse. This is a vivid contrast to Cortesi's insistence, in his earlier letter to Poliziano, that writers are incapable of producing anything pleasing when mixing together different sources, a notion he expresses through the use of the aural image of a discordant clashing of different styles (*Controversies* 12–13). Instead, Pico, like Poliziano before him, suggests that harmony and art can indeed be achieved in the imitation of multiple sources.

It is precisely this ability to achieve an artful mix of disparate virtues that Bembo will challenge in his response to Pico, written exactly one hundred days after Pico's letter. Amedeo Quondam (*Rinascimento e classicismo* 154) suggests that the date of Bembo's letter, 1 January 1513, is highly significant in part because it reveals that Bembo spent considerable time composing his response, in contrast with the few hours Pico claims to have spent on his first letter. Clearly this discrepancy is in keeping with the caricature of the obsessed Ciceronian, as Erasmus will later describe him, who spends hours writing a single sentence. In his lengthy response to Pico, Bembo first takes issue with the fact that his adversary, on the one hand, asserts that one should imitate "all good authors" and, on the other hand, appears to denigrate the role of imitation itself by asserting how writers have achieved glory in ways other than through imitation. He takes this to mean that Pico has yet to find a praiseworthy practitioner of the art of imitation. But Bembo is especially incredulous that Pico has advised the imitation of all good authors and not one in particular, as if all authors were equal. This is clearly not the case; and, since there is in mankind a natural attraction towards the best, Bembo claims, it is towards this absolute best—namely Cicero—that the imitator must turn for a model.

For Bembo, the choice is clear: either one does not imitate at all or one chooses to imitate only the best.

Bembo then begins to remark upon Pico's discussion of the Idea or form of excellent writing that is found in one's mind or soul. He categorically denies the possibility that an idea of beauty is innate; in this, he again echoes Cortesi, who had stated that "there is nothing in the mind except what has already been perceived by the senses" (*nihil est in mente quin fuerit prius in sensibus perceptum*, *Controversies* 10–11). It is his personal experience that leads him to deny Pico's assumption, since his own image of ideal discourse was developed "by reading the books of the ancients over the course of many years, by long labor, practice, and exercise" (*legendis veterum libris multorum annorum spatio, multis laboribus ac longo usu exercitationeque*, *Controversies* 50–51). The wording of Bembo's response demands closer scrutiny, for it is here where his argument begins to fall apart. First, his reference to the reading of many books over the course of considerable time does, indeed, closely resemble Pico's alternative origin of the Idea as something which is "gradually absorbed by reading many different authors" (*sive tempore procedente multorum auctorum lectione consummata*, *Controversies* 24–25); but Bembo chooses to ignore the fact that Pico had hesitated about the origin of the Idea, leaving open the question of whether or not it was innate or derived empirically. What is more, in embracing this empirical alternative, Bembo also unwittingly echoes the eclecticism of Poliziano, who similarly suggested that style should be "long fermented, if you will, with recondite learning, broad reading and extensive practice" (*recondita eruditio, multiplex lectio, longissimus usus diu quasi fermentavit*, *Controversies* 4–5). Most strikingly, in admitting to the possibility that a "pattern of discourse" was developed in his mind only after reading many books—in the plural—Bembo has abandoned his main argument that aspiring writers should follow one major model, namely Cicero.

Nevertheless, Bembo continues his attack on Pico's approval of multiple models by asking whether he believes imitation should be achieved by expressing many styles in their entirety or a part of many different styles at the same time. Either effort, Bembo declares, is doomed to failure, for it can lead only to an unharmonious juxtaposition of styles, which he, drawing from a similar image used by his opponent, likens to an edifice made from parts of different buildings. Put another way, this sort of method is comparable to begging, which routinely involves asking not one but many individuals for the necessary goods to survive. This is not true imitation, which must express the entire body of style found in the model. Even if Pico did not mean that one should imitate different styles simultaneously but only successively, Bembo is certain that this technique, too, would lead only to frustration, as the apprentice writer is forced to unlearn the style he has only recently managed to attain.

Bembo devotes the next several pages to explaining how he came about to embrace Ciceronianism. He acknowledges that, early in his career, he did in fact maintain the perspective of the Eclectics. Finding this method unsatisfactory, Bembo next attempted to write without using any model, but he quickly discovered that this too could not be a successful venture. Acknowledging the necessity of having some ancient model (or guide, as he puts it, in a manner reminiscent of Petrarch and Cortesi), Bembo was then unsure whether to attempt to imitate the very best authors or to focus on more accessible, and more imitable, mediocre models. Fearing that his efforts to imitate the best would meet with failure and discouragement, he devised a plan of apprenticeship that required him first to imitate inferior authors, with the hope of gradually attaining the skill to imitate the better writers. But, according to Bembo, this plan, too, proved unsuccessful, because it led him to acquire bad habits that were difficult to unlearn. With much labor, however, Bembo was eventually able to efface and eradicate these bad stylistic practices.

Having learned from his failed experiment, Bembo suggests that the aspiring writer imitate, from the beginning, the best available models, aiming first to equal, then to surpass them. He further asserts that it is easier for aspiring writers to surpass their model, once they have equaled it, than to achieve equality with it in the first place, which he nonetheless sees as a necessary initial phase. Here, Bembo appears to be in agreement with Pico that it is overtaking the model that is the ultimate goal of imitation. Where Bembo differs from his correspondent, however, is that he sees this as a second stage of the imitative process that can occur only once the aspiring author has set his mind to reproducing the style of his master. Pico, on the other hand, saw imitation, or “following,” as somewhat of a hindrance to “competing vigorously with [one’s] predecessors or striving to far surpass them” (*Ac potius vel intenta contentione adversatos prioribus vel adnixos longo eos intervallo praeterire non sequi*, *Controversies* 18–19). For, the implication is, the imitative writer who is merely a follower could well become obsessed with the compulsion to duplicate the likeness of the model and aim for excessive similitude. And this was precisely the charge levied against the Ciceronians who dared not deviate from Cicero’s model.

Towards the end of his treatise, Bembo clarifies the distinction between true imitation, whose object is style and method of composition (*stilum et scribendi rationem*) and borrowing (*sumere*), whose object is material (*res*), that is, figures, descriptions, exempla and the like (*Controversies* 82–83). Stylistic imitation (practically a redundancy, for Bembo), must use a single model and is achieved in a holistic manner; but borrowing can be accomplished from a variety of sources—including vernacular texts—and is done piecemeal, albeit sparingly and prudently. In this way, Bembo is, as James Ackerman declares, “the

first to identify style (*stilus*), in the sense of tone or voice, as the essential trait to be sought and emulated, whereas his predecessors—Pico included—had focused on content and structure” (“Imitation” 11). It is this distinction between borrowing materials for invention and imitating stylistic elements that, Bembo suggests, possibly lies at the heart of his disagreement with Pico. For if Pico mistakenly includes “borrowing” in his use of the term imitation, then Bembo would ultimately agree that “all good writers should be imitated” and would end his quarrel with Pico. It is with this hope that the debate between the two men is semantic rather than substantive in nature that Bembo politely ends his letter to Pico.

Pico’s final rejoinder, the third letter of the debate, does little to reach the reconciliation Bembo appears to wish for at the end of his letter. Curiously—and tellingly—Pico does not pursue Bembo’s distinction between imitation and borrowing, which might have led the two camps to reconcile. Instead, the tone of his exordium is stinging, as it slyly implies that Bembo is the embodiment of the obsessive Ciceronian, one who is “exceedingly careful” (*accuratissimus*) in his composition, not to mention “fussy” (*morosos*) and “extremely punctilious” (*scrupulosissimos*, *Controversies* 90–91). These adjectives are not intended to be compliments. Instead, they are words that echo what Poliziano had said of Cortesi (*Controversies* 4–5) and that will likewise apply to Nosoponus, Erasmus’ caricature of the excruciatingly correct Ciceronian who will not deviate in the least from his sacred model. That Pico is growing impatient with Bembo is clear from a number of passages in which his interlocutor is portrayed in an unflattering light. For example, in referring to “that very Cicero whom you revere” (*ipso quem colis Cicero*, *Controversies* 98–99), Pico is hinting that Bembo engages in the kind of idolatrous worship of the Roman that Erasmus will later attribute to Nosoponus. The same verb *colere* is repeated later in reference to the extreme imitators who “stop in their tracks” and “cannot utter a word” (*haerent in vestigio nec hincere verbum possunt*, *Controversies* 104–05) if they find themselves without their copious notebooks, which list words and phrases they have painstakingly cut out from pages of the author they worship. This is precisely the methodology that Pico imagines Bembo will say he employs in order to guarantee the authenticity of his Ciceronian prose: “You will perhaps say that you will first observe his words, then his rhythms, features and entire structure, that you will employ no expression that Cicero did not use, and that you do not want to discuss any subject at all that he did not discuss” (*Dices fortasse te verba primum observaturum, inde numeros et lineamenta structuramque omnem, nihilque prorsus afferre quod non sit etiam allatum a Cicerone, nec aliis omnino loqui de rebus velle quam de iis de quibus ipse disseruit*, *Controversies* 116–119). In this way, Pico is attributing to Bembo

the unsavory characteristics—and the unwieldy writing instruments—of the extreme Ciceronian, exemplified by Erasmus's Nosoponus, so that the two figures—the real Bembo and the imagined extreme Ciceronian, the *simia Ciceronis*—become conflated in this letter. There is very little difference, in the end, between Bembo, whom an exasperated Pico calls “as addicted as anyone to Cicero” (*tam Ciceroni addictum quam qui maxime, Controversies* 118–19), and the satirized excessive imitator who employs such “labor with such care, not to say mania, at copying Cicero that . . . he was nearly tortured to death” (*tanta in effigendo Cicerone cura, ne insaniam dixerim, laborabat . . . paene cruciaret, Controversies* 112–13).

This approach to imitation, Pico shows, results in a mere surface resemblance to Cicero that does not reflect the essence of the man himself or, indeed, of his writing. He likens the bad imitator's desire to clothe his writing “with the words of the ancients, their tropes, rhythms, clauses, and periods” (*veterum nominibus, tropis, numeris, clausulis, periodis*) to “dressing our own bodies with rags and foreign colors” (*proprium corpus panno peregrinisque coloribus circumvestiri, Controversies* 110–11). These costumes are not appropriate and stand apart as alien and over-used. Pico then uses an even more striking set of metaphors when he compares such superficial imitators with “scarecrows, phantoms or vanishing shades” (*larvae et simulachra et evanidae umbrae, Controversies* 110–11). While there is a certain general resemblance between scarecrows or shades and actual people, upon closer inspection one can see that these resemblances do not capture the essence of a man: “for they lack the strength and spirit of living beings” (*deerit enim vividum robur et spiritus, Controversies* 110–11).

But what is really most distinctive about Pico's second letter is its recourse to Cicero's own writings to bolster his arguments in favor of multiple model imitation. It is an ingenious strategy, for by referring repeatedly to Cicero's own theories of imitation, Pico can show Bembo the folly of his ways in ignoring his model's own advice. First, Pico invokes the example of Cicero to deny the validity of Bembo's premise that there indeed is a single, perfect, and excellent example of eloquence. This, he says, alluding to *De inventione* (2.1.1–2.2.5), “you could have easily found out is an impossibility from your Cicero” (*quod fieri non posse tuo ex Cicerone rescire facile potuisti, Controversies* 94–95), and one should catch here the note of condescension, if not disdain, in Pico's reference to “your Cicero.” In that work, Cicero recounts the story of the painter Zeuxis who used five models to portray the divine beauty of Helen: he does so, Cicero says, “because he did not think all the qualities which he sought to combine in a portrayal of beauty could be found in one person, because in no single case has Nature made anything perfect and finished in every part”

(*Ille autem quinque delegit; quarum nomina multi poetae memoriae prodiderunt quod eius essent iudicio probatae qui pulchritudinis habere verissimum debuisset, De inventione* 2.1.3). Moreover, Cicero himself, in writing his textbook on rhetoric, follows the eclecticism of Zeuxis by excerpting what is best from multiple examples of excellent speech rather than from one imperfect model (see *De inventione* 2.2.4). The lesson Bembo should learn from this is clear. No single real, empirical model is perfect; consequently, it is the imitator's task to create a more perfect discourse by using various exempla that could compensate for any one author's deficiencies.

Immediately afterward, Pico again refers to the concept of the Idea or Form of eloquence located in the mind's eye as a guiding principle in the selection of and improvement upon models. Here, he quotes extensively from Cicero's *Orator* 7–10, to show, again, that if Bembo were a true Ciceronian, he should accept the Roman's own views on this matter. In the *Orator*, Cicero recounts the story of Phidias, who, when sculpting his statues of Jupiter and Minerva “did not look at any person whom he was using as a model, but in his own mind there dwelt a surpassing vision of beauty; at this he gazed and all intent on this he guided his artist's hand to produce the likeness of the god” (*Nec vero ille artifex cum faceret Iovis formam aut Minervae, contemplabatur aliquem e quo similitudinem duceret, sed ipsius in mente insidebat species pulchritudinis eximia quaedam, quam intuens in eaque defixus ad illius similitudinem artem et manum dirigebat, Orator* 9; quoted in *Controversies* 96–99). The point of Pico's quotation of this Ciceronian passage is thus to respond to Bembo's assertion that he could find no idea of eloquence in his own mind and thus was compelled to turn to the existing model of Cicero.

But Pico does more than merely quote from Cicero: instead, he reinterprets Cicero by juxtaposing views the Roman expressed in different moments of his *œuvre*. Bembo's particular problem, it will be remembered, was with the existence of a *pre-existing* idea in the mind's eye, leading him to reject this Ciceronian (and Platonic) notion altogether. Pico intends to show him here that there is another alternative available to him: namely *to create* this ideal out of multiple existing models. In teaching this lesson, Pico conflates the advice of *De inventione* (with its example of Zeuxis as an imitator of multiple empirical models) with that of the *Orator* (with its emphasis on the Idea). Thus, while Pico relies on the authority of Cicero and quotes several Ciceronian passages at length, he nonetheless interpolates his own gloss on these passages in such a way that leaves no doubt as to his view that this idea of perfect eloquence is one that is actively constructed by the aspiring writer and not necessarily one that is found fully formed in one's mind. Put another way, Pico chooses to read (or perhaps intentionally misread?) Cicero through an Aristotelian, not a

Platonic, lens, insofar as he conceives of the Idea not so much as a universal truth, in the Platonic sense, but rather as a concept that is formed through individual sensory perceptions. This may seem surprising, given Pico's reputation as a Neo-Platonist, but a fresh look at Pico's body of work can lend credence to this theory.

In 1501, little more than a decade before engaging in this correspondence with Bembo, Pico published a tract entitled *De imaginatione* or *On the Imagination*. Pico here defines the function of the imagination as that faculty which receives "the likenesses and impressions of things which are from without—a very rich harvest of phantasies" (*rerum quae forinsecus sunt similitudines speciesve, imaginationum seges uberrima*, *On the Imagination* 24–25), thus emphasizing the empirical origin of these images. Furthermore, in contrast to the domain of sensation, which is restricted to real, present objects, the realm of the imagination encompasses "what now is no more . . . as well [as] what it suspects or believes is yet to be, and even what it presumes cannot be created by Mother Nature" (*Quin immo et ea non modo quae fuere jam concipit, sed quae futura aut suspicatur, aut credit, et quae etiam a parente natura gigni non posse praesumit*, *On the Imagination* 28–29). This is accomplished because the multiplicity of real objects perceived by the senses can be synthesized, so that an abstracted Idea—not identical to any single one of these objects—can consequently be shaped by the imagination. Moreover, a bit later in the *De imaginatione* (42–43), Pico explicitly rejects the Platonist notion that ideas are imprinted onto the soul *a priori*. Instead, in a passage uncannily close to Bembo's discussion of the empty soul, Pico declares: "When the rational soul is infused into the body, it is like a clean surface on which nothing has been painted, nothing delineated. It follows, therefore, that it cognizes nothing out of itself, but acquires all its knowledge and science from the senses through the medium of phantasy" (*Est enim rationalis anima, cum in corpus infunditur, veluti nuda tabula, in qua nihil pictum, nihil delineatum est. Quo fit ut nihil cognoscat ex sese, sed omnem suam notitiam scientiamque ex sensibus phantasia intermedia nanciscatur*, *On the Imagination* 40–43).

Now, this triple emphasis on empiricism, eclecticism, and synthesis in the formation of the Idea is decidedly Aristotelian in its formulation, as can be seen by comparing what Pico says with what is found in the writings of the Stagirite. In the *De anima* (Bk. 3 ch. 4), Aristotle uses the analogy of the soul as a writing tablet upon which nothing is yet written, that is, as a *tabula rasa*, to use the Lockean term. In his insistence that knowledge is based on perception, he consistently opposes Plato's notion of transcendent forms or ideas that are innate. Instead, Aristotle emphasizes the mind's capacity to synthesize disparate instantiations of reality to form the idea, and he relates this process to the

work of the artist. In the *Politics* (3.11; 1281a39), for example, Aristotle declares that “the thing which makes . . . an artistic representation differ from ordinary reality is that elements which are elsewhere scattered and separate are here combined in a unity.” Similarly, in the *Metaphysics* (1.1; 981a5–7), Aristotle defines art itself as originating in this eclectic synthesis: “Art is produced when from many notions of experience a single universal judgment is formed.” Developing this idea further, Aristotle proclaims that the artist is not limited to reproducing only things that are; instead, as he suggests in the *Poetics* (*Art of Poetry* 322, chapter 25), art encompasses the realm of things that *could be* or *should be*, in other words, things that we would call “imaginary.” Each of these Aristotelian notions finds a counterpart in Pico’s *De imaginatione*, and this shared philosophical perspective no doubt informs Pico’s reading of Cicero and his subsequent response to Bembo.

For, although Pico does not mention the imagination per se in his letters to Bembo, he does indeed seem to be relying on what he had earlier written regarding that faculty in his reading of these juxtaposed passages from Cicero. First, Pico recalls the empirical method employed by both Zeuxis and Cicero as portrayed in the *De inventione*, a passage that suggests that the mind can produce a synthesis based on many perceived elements that ultimately differs from any one of them. Then, turning to the *Orator*, Pico quotes Cicero as saying: “In fashioning the best orator I shall construct such a one as perhaps has never existed” (*Atque ego in summo oratore fingendo talem informabo, qualis fortasse nemo fuit*, *Orator* 7, quoted in *Controversies* 96–97). Cicero’s ideal orator is, essentially, imaginary and certainly is not based on any single empirical example but rather combines the best features of multiple real (but deficient) exemplars. But what really seems to attract Pico’s attention in his gloss on this passage is Cicero’s admission that it was he himself who “fashioned” or “constructed” this image of the best orator, rather than merely perceiving what was already formed in his mind’s eye, thus emphasizing the active role he takes in the creation of the ideal.

Moreover, it is clear that Pico does not consider this “idea” of eloquence to be universal, as Plato no doubt would have thought. For he repeatedly insists that this idea is proper to the individual writer and varies according to each one’s natural propensities, or, as he had put it in his first letter, according to his own “genius.” To prove his point, Pico cites the examples of Xenophon, Demosthenes, Plato, and Cicero, who simply could not have derived the notion of correct writing from the mind of God, as Bembo had written—that is, they could not be relying on a single, universal ideal of eloquence—because they obviously are so different one from the other (*Controversies* 100–101). Instead, they each developed their own unique image of eloquence, and this image

“was moderated by the temperament of the body which is different in each person” (*quam et corporis temperamentum moderabatur, quod unusquisque obtinet ab alio diversum, Controversies* 102–03). Once again, Pico turns to Cicero as his authority for this notion, this time citing *De officiis* (1.31.110–113), which likewise stresses each writer’s own qualities, which are proper to him alone. Instead of clothing the self with what is unsuitable—like those “rags and foreign colors” mentioned above—Cicero advises that “we should weigh what each person possesses of his own, temper these qualities and not wish to try out how another man’s would fit him. For what most belongs to any given person is most suited to him” (*expendere, inquit, oportebit quod quisque habeat sui, eaque moderari nec velle experiri quam se aliena deceant, Controversies* 103). This “suitable” sort of imitation is not superficial—it is not like a scarecrow or phantom—but instead forms a “unique body” in its own right.

Pico explains that this new body of eloquence can be formed only from a multiplicity of examples and only by following one’s own individual native gifts. He states: “We should therefore follow the instinct that is proper to and the propensity that is inherent and innate in our soul, then join together from the various virtues of others a sort of unique body” (*Ergo sequi debemus proprium animi instinctum et inditam innatamque propensionem, deinde variis aliorum virtutibus unum quiddam quasi corpus coagmentare, Controversies* 104–05). Such an amalgam of disparate virtues, culled from a variety of sources, is not to be stitched together as one would make a “patchwork quilt out of different pieces of cloth” (*ex diversis pannis centonem consuat, Controversies* 106–09) with separate and distinct pieces, whose features—or colors and styles—can still be individually discerned. Rather, these disparate elements “should flow together, and your own diction should emerge, which is not at all like theirs, but coalesces in such a way as to be distinguished and praiseworthy in its own right” (*sed ut conflentur omnia, exque iis ipsis tua propria phrasis, quae nulla sit eorum, praeclara illa tamen et digna laude coalescat, Controversies* 108–09). In this way, the imitator’s speech is liquid and fluent, and its constituent elements can no longer be separated because, like one liquid poured into another, these have blended together and formed another entity. This process, Pico says, is akin to what happens when bees make honey that they distilled from various flowers: “your diction will not express the flowers themselves but the sweetest mixture of Hymettian or Hyblaeon honey” (*non ipsos exprimes flores, sed dulcissimum illud aut Hymettium aut Hyblaeum mel coagmentatum, Controversies* 108–109).

As Pico approaches the final summation of his position in this letter, he insists once more on the notion of multiple model imitation. He alludes to “ancient writers of good repute who preferred to imitate not [Cicero] alone but

many men" (*veterum omnium boni nominis scriptorum, qui non illum unum, sed multos potius imitati sunt, Controversies* 120–21), reminding his reader yet again of the eclectic stance he has taken from the very beginning, when he upheld all good authors (*omnes bonos, Controversies* 44–45) as potential models in his first letter to Bembo. But what is striking about Pico's last reiteration of the point is that he immediately qualifies—indeed, seemingly contradicts—this remark by saying (in the same sentence) that these ancient writers “primarily followed themselves—that is, their own mental idea and propensity of speech” (*et se ipsos in primis secuti—hoc est, propriam animi ideam propensionemque dicendi, Controversies* 120–21). In other words, good imitation requires referring to an *individual* idea of eloquence—not some *universal* form that is the same for all writers (as a true Neo-Platonist might have had it); but this does not preclude—on the contrary, it necessitates—the imitation of multiple external models whose exemplarity is synthesized into a unique idea of eloquence. Thus, multiple model imitation is not an alternative to following oneself; rather, it is compatible with or, indeed, identical to it. Consequently, Pico implies that the more one imitates—that is, the greater the number of models one uses—the more one is ultimately able to express oneself, to liberate one's inner *genius* and to produce what can only be called an original and individually distinct discourse. What Pico has accomplished, then, is to devise a theory of imitation that leads seamlessly into a theory of originality.

In this way, one cannot over-estimate the importance of Pico's unique term *genius* in his articulation of a creative imitation that is the vehicle for self-expression. The term is never clearly defined by Pico, yet its meaning can be discerned by examining the expressions he uses in conjunction with it, which function as a gloss. In his first letter, it will be remembered, Pico speaks of writers who “followed their own genius and natural propensity” (*genium propensionemque naturae eorum quisque sequebatur, Controversies* 22–23) and who enjoy from birth their own “instinct and intellectual propensity” (*congenitum instinctum et propensionem animi, Controversies* 22–23). In this second letter, he promotes following “the instinct that is proper to and the propensity that is inherent and innate in our soul” (*sequi debemus proprium animi instinctum et inditam innatamque propensionem, Controversies* 104–05). Finally, he lauds writers who have “followed themselves, that is their own mental idea and propensity of speech” (*se ipsos in primis secuti—hoc est, propriam animi ideam propensionemque dicendi, Controversies* 120–21). This sequence of similar expressions seems to establish a set of equivalences and potential substitutions centering around the word “propensity” (*propensio naturae, propensio animi, innata propensio* and *propensio dicendi*). By extension, a similar equivalence is established between the notions of “following one's own *genius*,”

“following one’s *instinct*,” and, ultimately, between “following *oneself*” and “following one’s own *idea*,” thanks to the repetition of the identical glosses used to describe them. If this is true, then Pico’s novel term *genius* ultimately derives from his reading of the “Platonic” passages of Cicero’s *Orator* that deal with the Idea: for, in the end, the two terms *genius* and *Idea* are shown to be virtually synonymous.

In sum, Pico’s entire theory seems to be drawn from the example of Cicero, both in terms of what the Roman has said as well as what the Roman has done. Pico’s insistence on quoting Cicero throughout his second letter to Bembo is doubtless his way of asserting himself as the real Ciceronian here, that is, the one who has grasped what Cicero himself says about imitation. But Pico also implies that it is he who has understood how Cicero himself has imitated in a way that the ostensibly hard-lined Ciceronian Bembo never could. What Cicero has done is to *emulate* his master, that is, to appropriate Platonic material in a creative fashion that was uniquely his own. While Pico’s first letter explicitly compares Cicero to Demosthenes and asserts that Cicero is more of an emulator than an imitator of the Greek orator, his second letter suggests (more subtly) a similar relationship between Cicero and Plato. That is, Pico gives us a reading of Cicero’s pronouncements on the Idea that is far from slavishly Platonic and that, in fact, challenges Plato’s precepts. As Pico saw, in developing his “idea of eloquence,” Cicero was himself both following Plato as well as drawing from his own instinct and natural genius. Firstly, while Cicero certainly “imitated” Plato, insofar as he borrowed the terminology of the “idea,” he certainly did not find in Plato an explicit “idea of eloquence”: that was Cicero’s own original notion. More importantly, according to Pico’s reading, Cicero did not necessarily agree with Plato’s understanding of these Ideas as universals. Instead, in Pico’s estimation, Cicero gave Plato’s Idea a new (Aristotelian) twist: his idea of eloquence was individually derived from a synthesis of multiple empirical models, as the story of Zeuxis, recounted in *De inventione*, serves to illustrate. For all these reasons, then, Cicero is no mere imitator of Plato, but rather is an emulator, as indeed Quintilian had seen, when he described Cicero as *Platonis aemulus* (*Institutio oratoria* 10.1.123), that is, “a rival to Plato.” Cicero thus did not “follow” Plato in all matters, and by refusing merely to follow he was able to surpass and outstrip his predecessor, forging new ground; in so doing, he lights the way for all subsequent writers to follow and, perhaps one day, to surpass this exemplar of style and thought.

Because Pico was the champion of individual genius, and because he saw the freedom that eclectic imitation could bring, it is he who ultimately emerges victorious in this quarrel. The first piece of evidence for Pico’s victory lies in the persistence of the word *genius* in subsequent discussions of imitative

matters, beginning with the *Ciceronianus* of Erasmus, where it can be found no less than seven times, and where it carries connotations of divine power (see Chomarat 2:833–834). The term appears again in a crucial document written by Lilio Gregorio Giraldi (see *Controversies* 182–189), who was asked to comment upon the correspondence between Giraldi Cinzio and Calcagnini. Lilio proposes a novel way of combining some of the precepts of Ciceronianism with those of the Eclectics: he suggests that Bembo's teachings are most suitable for beginners but that Pico's (and Calcagnini's) method is best suited for advanced imitation. While this may at first glance appear to suggest that both methods are equally valid approaches to imitation, the fact that eclecticism supersedes Ciceronianism in the mature writer means that Ciceronianism is a method destined to be outgrown and abandoned. In case this message isn't clear enough to his readers, Lilio ends his letter with another nod to Pico and the Eclectics in his final exhortation to "bid each man follow his own nature and genius, as it is called" (*suam quemque iubeto naturam et [ut dicitur] genium sequi*, *Controversies* 186–187). The self-conscious *ut dicitur* marks this sentence as a veritable quotation and assures that the novel word *genius* is appropriately acknowledged as someone else's term, even if its author isn't explicitly named. In turn, Lilio's sentence is later paraphrased by Possevino, in his *Bibliotheca selecta* (*Controversies* 208–209). From there, this notion is promulgated in later Jesuit educational treatises and becomes so much a part of the standard discourse on writing that its origins in the Ciceronian quarrel have long been forgotten.

Pico's triumph—or rather the triumph of eclecticism—might be, at least in part, explained as a result of the gradual emergence of vernacular writing as supreme, so that Ciceronianism—or the quest to attain a perfect Latin style—ultimately became a moot point. But even in those circles where Latin continued to be used—primarily in the Church and in the academic or scientific community—Ciceronianism and its restrictiveness proved to be untenable. New words were necessary to describe new things, and only the flexibility afforded by eclecticism could achieve the practical goals of communication. The essential artificiality and arbitrariness of Ciceronianism was revealed: based on what is a confusion of linguistic competence and linguistic performance, the strict Ciceronian position limited the production of new discourse to only those forms accidentally authorized by their use in extant Ciceronian texts (for this point see Lecercle, "Le Texte" 48). Such a position was deemed ludicrous on several accounts. First, as the Eclectics such as Pico showed, the range of "approved" forms would constantly need to be monitored and modified with every new discovery of a legitimate Ciceronian text or a Ciceronian forgery. More important, however, was the realization that the extant Ciceronian corpus, no matter how expansive, could represent only a

fraction of what Cicero would presumably have been capable of expressing and would have approved of using in different circumstances. Practitioners of Latin writing after the Renaissance were ultimately persuaded to embrace new forms and a variety of styles in order to express what they needed to say in the circumstances of the modern world and in fact did so throughout the seventeenth century and beyond, as studies of their actual prose production testify.

Finally, the increasingly obvious realization that the modern world differed from antiquity served as yet another grounds for the triumph of eclecticism. As Thomas Greene has explained, “the Ciceronian . . . is inclined to believe in pure repeatability, in imitation as secular ritual, and to reduce by implication anachronistic distance” (*Light in Troy* 154). But once the fact of historical distance between the past and the present is recognized, this “pure repeatability” can be only a futile exercise in recapturing what is gone forever. Yet, as Pico seems to have grasped, the cultural gap that separates the past from the present—and the Ciceronian text from the modern imitation—is not necessarily a loss. For this movement from reproduction of authentically Ciceronian discourse to a more open approach to achieving “Ciceronian” eloquence constituted, no doubt, an incredibly liberating experience. The entire notion of exemplarity is overhauled in this formulation that envisages possibilities rather than restrictions imposed by the supreme model. For now, instead of obsessing over the question, “What *did* Cicero say?” (to which the fictional Nosoponus provided voluminous responses), the imitative writer could pose a very different question: namely, “What *might* Cicero say,” given the historical circumstances and precise topic of the modern author. By changing the question posed, the imitator—on his way to becoming an emulator—gained a sense of freedom that could lead to a form of self-expression, an idea found in embryonic form in Pico’s letters to Bembo on the Ciceronian controversy.

It is this creative freedom that was cherished by the Eclectics and it is their view of history as freedom rather than mere “ceremonial repetition” that triumphed as the Renaissance drew to a close. For eclectic imitation, as envisioned by Pico, with its emphasis on individual expression and the suitable pairing of model to emulator according to the rules of natural inclination, was ultimately a means of self-discovery, of unlocking one’s own *genius*, of attaining originality. Thus, “originality” did not originate with the Romantics. Instead, its seeds were planted early: its origin can be located within the arguments on imitation proffered by the Eclectics—and in particular by Pico—in their responses to their Ciceronian opponents. And it was Cicero himself who showed them the way to accomplish this.³

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